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MEMORANDUM

June 6, 1994

TO: Interested Parties

FROM: Waterfront Plan Staff
Port of San Francisco Planning and Development Division

RE: *Draft Waterfront Land Use Plan for Review by the Public and Members of the Waterfront Plan Advisory Board*

The Draft Waterfront Land Use Plan is presented for review by members of the public and the Waterfront Plan Advisory Board.

The Draft Plan specifies land uses for the over seven miles of waterfront property under Port jurisdiction, from Aquatic Park to India Basin, and the conditions under which they would be allowed. The Draft Plan culminates an almost three year public planning process under the direction of the Waterfront Plan Advisory Board, a 27 member panel representing all facets of interests in waterfront land use planning and development. The Draft Plan will be the basis for the Advisory Board's final recommendation to the Port Commission.

The Draft Plan synthesizes important land use information learned over that period regarding the future needs of industrial, commercial, and recreational maritime industries which will continue to play a significant role on the waterfront; the objectives of providing a variety of open spaces and public access; and commercial and other complementary land uses that also provide sorely needed financial resources to help pay for the Port's public trust responsibilities, including maritime commerce and public enjoyment of the waterfront.

These issues were addressed in a previous publication, "***Options for Change,*** *Land Use Choices for the Waterfront Plan*", released in October 1993. Based on the public comments received on that document at Waterfront Plan Advisory Board meetings, and numerous community meetings and workshops, refinements and additions to land use policy are incorporated into the Draft Plan.

The Advisory Board will meet to review the Draft Plan and make further further modifications as necessary before voting on its recommendation to the Port Commission regarding the Draft Plan. Two public meetings are scheduled for this purpose on Monday, June 13th 4:30 p.m., and an all-day Saturday session on June 18th, 9:00 a.m. Both meetings will be held in the Port Commission Meeting Room in the Port's offices at the Ferry Building, Suite 3100.

The Draft Waterfront Land Use Plan that is recommended to the Port Commission will be reviewed, and is subject to further modification by the Port Commission. As such, the Advisory Board's proceedings, while comprehensive and unprecedented at the Port, do not represent the end of the planning process for the Waterfront Land Use Plan. Further opportunities for public review will be provided at public meetings held by the Port Commission, and additional hearings before the Planning Commission as part of the process for completing an Environmental Impact Report, which is underway. Pending the completion of the environmental review process and preparing implementing policy and legislative amendments, the Waterfront Land Use Plan is not expected to be finally adopted until the end of 1995.

Finally, please note that this version of the Draft Plan does not contain graphic and other illustrative presentations that ultimately will accompany the text presented in this document. The Port is in the process of hiring graphic assistance to prepare those displays and facilitate production of a finished Draft Waterfront Land Use Plan, once the Advisory Board and Port Commission have completed their respective reviews of this publication.

Requests for additional copies, or any question regarding this Project will be received on the Waterfront Plan Hotline at (415) 274-0354. Copies of the Draft Plan are available for $10.00 by check, payable to the Port of San Francisco.

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PORT OF SAN FRANCISCO

DRAFT WATERFRONT LAND USE PLAN

For Review by the Public and Members of the

Waterfront Plan Advisory Board

June 6, 1994

(To request additional copies of the Draft Waterfront Land Use Plan or inquire about the public planning process for this Project, please call the Waterfront Plan Hotline at (415) 274-0354.)

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PORT OF SAN FRANCISCO

DRAFT WATERFRONT LAND USE PLAN FOR REVIEW BY THE PUBLIC AND THE WATERFRONT PLAN ADVISORY BOARD

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(Note: In this draft, each Chapter is page-numbered separately, except for Chapter 4, which contains five separate documents for each segment of the waterfront addressed. Please use page headers to keep track of where you are in the draft Plan. In addition, a few of the maps cited in the text will not be ready until next week. We apologize for any confusion, and will provide them to you at the next Waterfront Plan Advisory Board meeting, which will be held on June 13th, 4:30 p.m. at the Ferry Building, Suite 3100, Port Commission Room.)

PROLOGUE

CHAPTER 1: INTRODUCTION TO THE PORT

CHAPTER 2: GUIDING PRINCIPLES OF THE PLAN

CHAPTER 3: GENERAL LAND USE POLICIES
(This Chapter describes the acceptable uses contained in the Waterfront Land Use Plan, and general policies that apply to all sites on which these uses would be permitted on a long-term and interim basis. Chapter 3 also identifies unacceptable uses, pursuant to Proposition H.)

CHAPTER 4: AREA OBJECTIVES
(This Chapter describes Plan objectives for five areas of the Port's waterfront, and Standards for New Development for specific sites.)

CHAPTER 5: IMPLEMENTATION
(This Chapter provides an overview of legislative issues associated with the land uses proposed in the Draft Plan; implementation objectives and an outline for a streamlined entitlement process; and financial implications of the Plan.)

PROLOGUE

San Franciscans are justifiably proud of their City, not only for its natural beauty, but also because of the tremendous civic endowments bestowed upon it by prior generations. Through the forethought of our ancestors, we enjoy the splendor of Golden Gate Park, the grand design and monumental architecture of Civic Center, expansive views from Coit Tower, and the richness of our neighborhoods. Living in the midst of these many gifts has inspired each successive generation to make contributions to the civic good. Past generations for the most part, however, turned their backs to the waterfront, not out of a lack of appreciation, but because its function was almost singularly as a place of industry. Although the grand arches of the bulkhead buildings are meritorious contributions to our architectural heritage, they are, in fact, mere facades, built to obscure the gritty reality of work on the waterfront. The Ferry Building alone stands out as a major civic improvement on the waterfront, constructed as a gateway to usher visitors in and out of the City.

San Franciscans now have the opportunity to look anew at their waterfront. Sweeping changes in the technology of transportation and commerce have opened up the water's edge to new possibilities. We all cherish the memories of the Bay alive with the sights and sounds of waterborne commerce -- ships vying for a berth at the piers, goods piled high on the deck awaiting the able hands of longshoremen, and workers and sailors plying their trades up and down The Embarcadero.

In fact, most of these activities can still be seen along the waterfront, although modern efficiencies have reordered the way they occur. One container ship can carry the load of numerous clipper ships; one crane does the work of countless longshoremen. Bridges and freeways replaced ferries and barges in conveying people and goods throughout the region. These trends not only affect San Francisco, they also have led to waterfront evolutions in cities like New York, Boston, Baltimore and Portland. Instead of lamenting the changes brought about by these innovations, San Francisco tradition dictates that we seize this opportunity to create a waterfront that will instill pride in future generations of San Franciscans.

The opportunity to develop a Waterfront Land Use Plan comes at a propitious moment in history. Through citizen activism, the waterfront survived the days when "bigger is better" was the catch phrase of new development, and the Bay was viewed as an obstacle to construction. Today the concepts of citizen participation, environmental protection, historic preservation, and design review are well established, providing the critical foundation for a successful revitalization of the waterfront.

This effort, perhaps unlike others before it, will also be aided by a new pragmatism in civic improvement efforts, brought on by the recognition that our financial resources must be as carefully managed as our natural resources. Gone are the days of federal and state grant programs flush with funds for public improvements, such as grand parks and open spaces.

Local voters can no longer support additional taxes for every worthy cause. The Port of San Francisco is a self-sufficient operation and so, if the transformation of the waterfront is to be realized, the Plan must be fashioned in the same way. While the vision for the waterfront should be no less grand because of this limitation, budget consciousness may dictate that the vision be achieved incrementally. Facilities that cannot be transformed immediately can nevertheless contribute to the effort through the revenue generated by interim uses. Private capital will be attracted to the waterfront, once San Franciscans achieve consensus on the land use plan, providing the certainty that is a precondition to reinvestment and revitalization.

Through the three years of dedication and hard work by the citizens who have served on the Waterfront Plan Advisory Board and attended public meetings and workshops, and the staff of the Port, the Planning Department and other agencies, we present this proposal for citizen review. Embodied in the Plan's proposed policies and guidelines, land use classifications and technical provisions there is a new vision for the San Francisco waterfront. As you read this, we ask you to imagine:

- *a place for waterborne commerce and world trade*
- *a place for recreational water use*
- *a place for neighborhood residents*
- *a place for waterborne transit*
- *a place for public assembly*
- *a place for our architectural heritage*
- *a place to recall our colorful waterfront history*
- *a place to celebrate our cultural diversity*
- *a place for economic opportunity*
- *a place to promenade*
- *a place for nature and open space*
- *a place for nourishment of mind and body*
- *a place for ...*

If we can imagine these places, then collectively we can achieve this vision and create a waterfront that all San Franciscans can enjoy and proudly call their own.

CHAPTER 1: INTRODUCTION TO THE PORT

The Port And Its Responsibilities

Among its many good fortunes, San Francisco can count the fact that nearly its entire waterfront is publicly-owned. More than seven miles of prime Bay frontage, stretching from Aquatic Park to India Basin, are held in trust for the public, under the management of the Port of San Francisco. Public ownership of Port property stems from the fact that most of this land was former Bay tidelands, filled by the State to provide docks, wharfs and backlands to facilitate commerce in San Francisco's natural harbor. These tidelands are impressed with a "public trust" on behalf of all the people of California. The Port, as trustee, is required to promote maritime commerce, navigation and fisheries, as well as to protect natural resources and develop recreational facilities for public use on these public lands.

Responsibility for these lands was transferred from the State to the City in 1968 under the *Burton Act*. As a condition of the transfer, the State required the City to create a Port Commission with complete authority to use, operate, manage and regulate the Port, and to take all actions necessary to fulfill its public trust responsibilities consistent with the *Burton Act*. Under the *Burton Act*, revenues generated by the Port are to be used only for Port purposes. The Port receives no operating subsidies from the City. Thus, although the Port is structured much like other City departments, it is unique in that it must discharge its duties in furtherance of statewide interests, and does so without monies from the City's general fund. And, its duties and constituents are extremely varied.

Unlike some ports that primarily manage shipping operations, the Port of San Francisco oversees a broad range of commercial, maritime and public activities that are integrated into the local, regional, national and international economy. In some areas, such as Fisherman's Wharf, traditional maritime activities, in this case commercial fishing, have become the background amenity for a thriving tourist economy. In other areas, the Port's finger piers are used for maritime support services such as ship repair, tug and tow operations, a Foreign Trade Zone and warehousing. At the Ferry Building, commuter and recreational ferry service is provided to Bay Area cities. And in the southern waterfront, traditional cargo shipping takes place at the Port's container terminals. The Port oversees this myriad of activities, balancing the often competing interests of its maritime and commercial tenants, its public trust responsibilities to the people of the State, and its responsibilities to the people of San Francisco, whose waterfront it oversees. As history can best attest, this balancing act has not been easy.

The Expansion and Consolidation of the Industrial Waterfront

From 1863 until 1968, the use and development of the Port of San Francisco was controlled by the State of California. A State Board of Harbor Commissioners ("State Board"),

exempt from local control and backed by the vast financial resources of the State, guided the Port from infancy to its height of maritime activity during World War II. Between 1912 and 1930, many of the Port's piers were constructed while break-bulk shipping flourished and countless vessels were serviced at Port facilities. During this time, the waterfront became dominated by industry, maritime operations and railroad terminals. In post-war years, however, demand for the type of Port facilities offered in San Francisco began to decline.

The completion of the Golden Gate and Bay Bridges in the late 1930s had already led to a dramatic reduction in the once thriving ferry boat industry, rendering numerous finger piers on the northern waterfront obsolete. Technological innovations in the shipping industry, particularly the shift from break-bulk cargo to containerized cargo, further reduced demand for Port facilities. The rise of foreign competition in shipbuilding and ship repair dealt another blow to maritime activity at the Port. With the decline in these prime industries, maritime support activities also declined.

The Evolution to Containerized Cargo

The State Board, perhaps grown complacent in its role as overseer of the premier West Coast shipping port, was slow to respond to the evolution of cargo shipping from break-bulk to containerization. While San Francisco looked on, the Port of Oakland obtained federal grants to help convert its mud flats to modern container terminals. By 1965, the Port of Oakland's total tonnage receipts equaled that of San Francisco. Last year, the Port of Oakland handled 14 million tons of cargo, 92% of the Bay Area market share.

Under local control for the past 25 years, the Port has struggled to regain its preeminence as a shipping port. In 1969, the Port sold $20 million in bonds to finance the first LASH (lighter aboard ship) terminal on the West Coast at Pier 96, and for improvements to break-bulk piers. Unfortunately, LASH technology proved an ineffective competitor to containerization. Meanwhile, the investment in break-bulk piers kept some of those facilities intact, but yielded little return. As a result, the percentage of Port operating revenue devoted to debt service grew substantially, further hindering the Port's attempts to modernize. Although in 1971 the Port issued an additional $20 million in revenue bonds to build modern container terminals at Pier 94, San Francisco could never regain its preeminence over Oakland, and even now its facilities are not fully utilized.

As discussed more completely in the Background Analysis for Water-Dependent Activities, Appendix A, over the past two years, shipping lines have dramatically reduced or ceased their shipping operations at the Port of San Francisco's two container terminals in the southern waterfront. Because container terminal operators depend heavily on economies of scale, these operators have had difficulty maintaining profitability and, therefore, the Port

has consolidated its cargo shipping operations at Pier 96. The Port's other container terminal will remain available for future maritime operations. With only a handful of shipping companies remaining at the Port, the Port's future in intermodal container shipping is uncertain, despite aggressive efforts to lure shipping lines back with highly attractive business offers.

Unfortunately, there are a number of factors that will continue to place San Francisco in a competitive disadvantage with the Port of Oakland. First, although the Port of San Francisco is a mere 30 minutes from Oakland by truck, it is up to a full day from Oakland by rail, the favored mode of moving a container bound for inland destinations. In short, it is generally faster and, therefore, cheaper for carriers to pick up and deliver cargo in Oakland than in San Francisco. Second, shipping companies have expressed a strong desire to locate where two or more railroads are available because competition inevitably leads to lower prices for rail service. San Francisco is served by only one railroad. Third, the Bay area as a whole faces a competitive disadvantage with other west coast ports where demographic and geographic advantages allow faster intermodal connections to important local and midwest markets. Public investments in the Ports of Los Angeles and Seattle have resulted in further challenges to the market share of Bay Area ports.

Despite these disadvantages, the final chapter of San Francisco's cargo shipping operations has yet to be written. Recent cargo forecasts predict over a four-fold increase in containerized cargo heading to and from the Bay Area between 1990 and 2020. San Francisco's goal is to capture as much of this growth as possible. However, although San Francisco has enough property "reserved" in the southern waterfront to double its cargo operations, the federal government's recent gift of 200 acres of the Oakland Navy Supply Center to the Port of Oakland for expansion of cargo operations makes San Francisco's property far less valuable for maritime expansion today. Previous regional forecasts predicted that as Oakland facilities filled to capacity, other ports would have the opportunity to capture expected "overflows" in cargo volume that could not be accommodated in Oakland. San Francisco will now have to wait longer for its facilities to be in greater demand. The closure of Bay Area military bases could have further negative consequences for San Francisco, if even more waterfront property becomes available for cargo operations.

Clearly, these changing conditions require a new strategy for the Port's future cargo operations. Eager to maintain its historic role in maritime trade, the Port is looking for new ways to market its cargo facilities (See Chapter 4, Southern Waterfront). For example, the Port is well positioned to take advantage of a developing trend among large cargo carriers to own or control their own marine terminal, rather than sharing a terminal with other carriers. San Francisco is the only Bay Area port with the capacity in the next five years to offer long-term preferential assignments of its container facilities. In addition, other technological advances could lead to more efficient use of terminal space, allowing smaller ports like San Francisco to attract

high volume carriers. Alternatively, San Francisco could target smaller shipping lines that do not rely heavily on intermodal ship-to-rail cargo transport.

The Future of Ship Repair

Along with the Port's cargo industry, the Port's ship repair industry also has faced adverse industry trends outside of the Port's control. In the 1960s, ship repair businesses employed some 20,000 workers at over fifteen San Francisco ship building companies along the waterfront. In the 1980's, the rise of foreign competition and subsidies and the coterminous decline in U.S. subsidies of American ship building operations caused a significant decline in the number of ships serviced in the United States. More recently military contracts, one of the few remaining markets for the ship repair industry, have significantly decreased due to military budget cuts and base closures. Today, the City's two remaining full-service ship repair companies employ only 450 full time and 1,000 seasonal workers. While the Port is active in the City's efforts to revitalize this industry, it is apparent that this industry will not in the foreseeable future command the workforce or the land area that it did in the 1960's.

Waterfront Land Use in Transition

Technological innovations and market driven trends in maritime commerce and industry have significantly affected the use of Port land and facilities, and the location of Port activities. With the advent of containerization as the primary means of transporting cargo, and the decline in the breadth of the ship repair industry, the Port's outdated break-bulk cargo, ship building and repair, and maritime support facilities have slowly been transformed to other uses. In keeping with City-wide trends, industrial maritime activities diminished over time in the northern waterfront and now are concentrated in the southern waterfront.

Today, the Port's cargo facilities are primarily in the southern waterfront, where they rely heavily on truck access to and from Illinois and Third Streets, Cargo Way, I-280 and U.S. 101. Access to the interstate highway system is vital to the Port's competitive position in cargo shipping. The Port also is dependent on freight rail access which now is provided only in the southern waterfront.

Consolidation of the Port's cargo operations has been further reinforced by recent changes in regulations affecting the Port's ability to dredge around its facilities. Although the Port is a naturally deep harbor, dredging is required to maintain channel and berth depths for deep draft ships. Because of rapidly decreasing capacity at existing Bay disposal sites, and growing concerns over potential environmental impacts of dredging, the entire Bay Area

faces dredging limitations. In response, the Port of San Francisco has reduced the amount of its annual dredging, in part by relocating cargo shipping tenants. Meanwhile, in the northern waterfront, dredging costs for the newsprint terminal at Piers 27-29 went from 6% to 85% of total revenues for that use in one year. The serious financial impacts of dredging will lead to further consolidations of the Port's cargo operations in the southern waterfront, where there is deeper water and excess terminal capacity.

With the departure of traditional industrial shipping operations, non-industrial maritime, commercial, residential and open space activities have proliferated on the northern waterfront, partly in response to City-wide needs for these uses. While non-industrial maritime activities have proven to be popular with residents and visitors alike (see Appendix A), the transition to other commercial and residential uses has not been without controversy, beginning long before the Port was transferred to local control.

The State's early plans for redevelopment of the northern waterfront were, in hindsight, clearly out of step with local views of appropriate waterfront uses. First, the State Harbor Commission rejected surface level transportation improvements to The Embarcadero, due to concern over traffic interference with now defunct break-bulk shipping piers. The elevated Embarcadero Freeway was constructed instead. Second, a plan generated by the State's World Trade Center Authority and endorsed by the Governor called for construction of a 7-story building between Pier 1 and the Ferry Building, with a 30-story tower planned to replace the Ferry Building. Third, State Harbor Commissioner Cyril Magnin's 1959 plan for an "Embarcadero City" envisioned converting the Port's property north of the Ferry Building to non-maritime uses in high-rise structures on massive amounts of new fill.

The transition from state to local control of the waterfront did not curtail ambitious efforts to develop the Port. In 1968, in order to gain control of the Port, the City assumed responsibility for $55 million in outstanding State general obligation bonds and agreed to invest $100 million for harbor improvements over the next 25 years. Extensive new commercial development was expected to generate revenue to support that level of investment. To this end, the Port proposed development of a 50-story U.S. Steel Office Building and cruise terminal on fill between the Ferry Building and the Bay Bridge. In response to public outrage, the City Planning Commission adopted the *Northern Waterfront Plan,* imposing a 40-foot height limit on most Port property north of the Ferry Building. While the City was still engaged in debate over height limits to the south, the State Attorney General's Office dealt the fatal blow to the U.S. Steel proposal.

The Attorney General's office issued an opinion interpreting the then recently enacted *McAteer-Petris Act* (1969), which created the San Francisco Bay Conservation and Development Commission (BCDC) to control excessive filling of San Francisco Bay. In a published opinion in October 1970, the State ruled that BCDC did not have authority to

approve bay fill for non-water-oriented uses (e.g. office) even if an equal amount of existing fill was removed. As a result, the Port's plans for the U.S. Steel Building and an even-more ambitious project, Ferry Port Plaza at Piers 1, 3 and 5, never left the drawing board.

The State responded to local concerns over the Port's major development proposals, and the Port's inability to achieve that level of development under the State's new BCDC legislation, by reducing the Port's investment obligations from $100 million to $25 million. This solution did not address the fact that, by this time, a great infusion of capital was needed to fully modernize the Port.

This pattern of misinformed development expectations being squashed by regulatory revelations has been repeated several times in the Port's history. For example, a controversial proposal in the mid-1980s for residential condominiums on Pier 45 was ruled an invalid public trust use. Also, although BCDC had approved non-maritime office use on Piers 1 and 3 in its *Special Area Plan*, a 1986 informal Attorney General's Opinion ruled that substantial structural reinforcement of a pier (work necessary for any significant new development of a pier and, increasingly, for ongoing maintenance of existing facilities) was considered new bay fill and, therefore, the new use must be water-oriented, precluding the office development. In 1988, a proposal for an office and health club development on Seawall Lot (SWL) 321 failed, in part because the State Lands Commission ruled private health clubs impermissible under the public trust, and set stringent standards to ensure that office developments were primarily for maritime-related uses. Most recently, a proposal for a Sailing Center with a hotel on Piers 24 and 26, although permitted by BCDC and State Lands regulations, was defeated by San Francisco voters' passage of Proposition H in 1990.

Clearly, the Port has not been effective in its efforts to provide new activities along the waterfront and generate revenues to subsidize maritime and other public improvements desired by the citizens of San Francisco. This Plan is intended to alter the course of this history of waterfront improvement efforts.

Financial Impacts of Land Use Trends

Fifteen years ago, then Assembly Speaker Leo T. McCarthy, in a letter to the Members of the Assembly Local Government Committee, stated that the "terms of the Port's transfer from State to City ownership were inequitable and financially unsound." Assemblyman McCarthy pointed out that, "At the time of the transfer. . ., neither party conducted an economic analysis of the condition of the Port and the effect of the transfer."

Many conditions were identified in 1978 as factors in the Port's financial decline. Most notably, the property the Port received was in great disrepair. Twenty-three of the piers transferred were virtually unusable for maritime purposes because of their poor physical

condition. The estimated cost of removing the unusable piers was between $10 and $20 million dollars (1978 dollars). Those piers that were structurally sound had only marginal value because the cargo shipping industry was turning towards containerization, rendering finger piers obsolete. Also, the proceeds of the State bonds for which the Port had to assume debt service had already been spent for facilities which, in view of apparent changes in maritime technology, should not have been built at all. And as noted above, a prior State decision not to pursue federal grants exacerbated San Francisco's competitive disadvantage in comparison to Oakland, where major reinvestment in port facilities was underway.

In an attempt to mitigate this inequity, Assemblyman McCarthy sponsored legislation that would have required the State to reassume financial responsibility for most of the outstanding general obligation bonds that the Port had been burdened with under the transfer legislation. The bill failed, and the problems identified in his letter were never addressed.

The Port's Unique Financial Framework

This precarious financial inheritance has been difficult for the Port to overcome, in part because of the unique financial and budgetary framework within which the Port operates. Under the Burton Act, revenues generated by the Port are held in a special fund to be used only for Port purposes. The Port does not receive subsidies from the City, and reimburses the City for any services provided by general fund departments. Rather, the Port's ability to fund Port operations, maintain Port property and provide public access and open space improvements depends almost solely on its ability to generate revenues from properties under its stewardship.

While many California ports have a similar self-sufficient arrangement with their respective municipalities, other American ports receive subsidies for capital programs or have outright taxing powers. For example, the Port of Seattle, which competes directly with San Francisco, is subsidized by general tax revenues. Some California ports also have found subsidies for their maritime operations by linking of port and airport operations. The availability of such financial assistance to competing ports puts the Port of San Francisco, with its aging infrastructure, in an unfavorable competitive position.

Declining Revenues from Cargo Shipping Operations

Over the past five years, the Port's income from its cargo operations significantly decreased, reflecting the departure of major shipping customers. Cargo revenue was only $9.6 million in 1992/93, or 29.3% of the Port's total revenue. Over last and next year, additional shipping line losses will amount to further revenue reductions of approximately $4 millon. And in the fiscal year 1994/95 budget, cargo revenues are expected to be $5.0 million, approximately 15.6% of the Port's operating revenues.

producing and non-revenue producing projects, and results in strong positive cash flow to the Port, will help the Port enter the next century as an economically viable public agency, capable of providing San Franciscans and Californians with the waterfront they deserve.

The Opportunity For a New Land Use Strategy

In the 25 years since the Port was transferred to local control, a number of plans for the San Francisco waterfront were adopted by both the City and BCDC. Many of the changes called for in past plans have been accomplished or are well underway, including the demolition of The Embarcadero Freeway; construction of the Waterfront Transportation Project improvements on The Embarcadero; removal of dilapidated piers and replacement with the Promenade between Mission and Folsom Streets; construction of the Pier 7 recreation and fishing pier; renovation of the historic Roundhouse building on the northern waterfront; and implementation of the Rincon Point-South Beach Redevelopment Plan. Notably absent from this list, however, are commercial development projects implementing plan policies for the economic reuse of Port finger piers. Thus, the Port has not had access to the economic resources anticipated to sustain its operations when the waterfront was transferred to local control.

Twelve years have passed since the last comprehensive planning effort was completed for the San Francisco waterfront. Although many elements of the existing plans, policies, regulations and financial objectives are worthy of retention, a new approach is required to halt the continuing deterioration of Port property and to revive the debilitated state of Port finances. Often, the problems with implementing plan policies for economic reuse of Port piers have not arisen from the plans themselves. Indeed, the objectives of the plans (to provide environmental protection and ensure public benefits from invaluable waterfront resources) are well-founded and widely respected. Rather, the plans did not anticipate subsequent and increasingly restrictive interpretations of the regulations affecting Port land use under the public trust doctrine and BCDC enabling legislation. (See also Chapter 5) The waterfront planning process has been designed to forge a consensus for the beneficial use of the Port's property that achieves an integrated mix of financially balanced maritime and non-maritime activities on Port property and improved waterfront access and open space.

The time is right for such a crucial mission. Some may lament the consolidation of cargo operations in the southern waterfront, preferring to spread the remnants of the rough and tumble waterfront of years gone by throughout the entire waterfront. Most, recognizing the inherent conflict between the new neighborhoods that have emerged adjacent to the shore and the industrial warehousing, trucking and rail operations upon which modern cargo operations depend, would prefer a new combination of maritime and non-maritime operations on the northern waterfront, to blend with the vibrant new neighborhoods of South Beach, Rincon Hill and Golden Gateway, among others.

While revenues from commercial leases and other non-cargo maritime activities were more stable, they did not increase significantly over the past five years. Revenue from the Port's non-cargo operations, including wharfage and dockage from passenger ships, ship repair, fishing, and visiting ships, and rental payments from commercial tenants, ship repair firms, fishing companies, parking stalls, and parking meters, was $23 million or 70.7% of the Port's total revenue in 1992/93.

The Port's total operating revenues increased only 2.1% annually from fiscal year 1988/89 to fiscal year 1992/93. In response to its flat revenue history, the Port has been reducing controllable expenses in its operating budget (e.g. personnel, facilities maintenance, equipment, etc.) in order to hold the expenditure budget flat and achieve a balanced budget. For example, the Port eliminated 36 staff positions effective July 1, 1994 to re-balance its operating budget now that additional shipping lines have announced their intention to leave the Port. These budget constraints are making it extremely difficult for the Port to add new programs, improve current services, or maintain its property, much less provide publicly-desired waterfront improvements. If revenues do not improve, services and maintenance will decline further, and public projects cannot occur.

In addition to its ongoing operational costs, the Port also faces a $127 million *Capital Plan* burdened with many mandated, non-revenue producing projects; a $25 million backlog of deferred maintenance which continues to accumulate at approximately $2.5 million per year; expected increases in dredging costs; and increased demand for the Port to support many declining maritime industries through increased marketing and subsidies.

In addition, the Port's environmental risk exposure is a particular financial concern of the Port today. While the Port's risk is typical of other sites with a mix of industrial businesses dominated by transportation and warehousing activities, it also is a cause for concern because of the exceedingly high cost of toxic remediation. There are Port areas where contaminated fill, underground tank leaks, and asbestos are known to exist, requiring the Port to develop specific programs to address hazardous materials. New requirements for cleanup of designated toxic hot spots are currently being developed by the State Water Resources Control Board. Future costs for this program are uncertain, but could be substantial in some parts of the waterfront. In the *Capital Plan*, the Port already has committed $23 million in capital funds for the highest priority maritime and environmental projects, leaving a balance of over $100 million in unfunded capital projects.

It is clear from a review of the historical numbers and the backlog of capital and required maintenance projects that the Port has not been able to produce enough revenue to sustain its current operations. The Port currently is developing a new financial strategy to aggressively control expenditures while seeking ways to enhance revenues from new and existing lines of business. A realistic Waterfront Land Use Plan that balances revenue

This transition would provide new opportunities for accommodating and expanding the Port's other maritime industries, such as fishing, cruises, ferries and excursions, recreational boating and water activities, and historic and ceremonial berthing, along the northern waterfront. While most of these industries cannot be expected to generate on their own significant revenues to cover costs for new facilities (see Appendix A), their future contributions to San Francisco's maritime character can nonetheless be assured if they are balanced with other revenue-generating uses on the waterfront. For example, although the cruise industry is not projected to grow significantly absent changes in federal law, it is unthinkable to imagine a San Francisco waterfront without a cruise ship terminal. By most accounts, the condition of the current terminal is a civic embarrassment. If terminal improvements were integrated with a mix of uses that could share the facility, and thus the cost, San Franciscans would benefit by new access to waterfront attractions, and take comfort in knowing that visitors are welcomed in a facility worthy of San Francisco's waterfront.

The success of this mixed use approach to revitalizing outdated waterfronts has been proven throughout the nation. One can travel to Vancouver's Granville Island, Portland's RiverPlace and Seattle's Pike Place Market and experience a full range of maritime and commercial activities that reunite residents with their respective waterfronts.

The possibilities for a successful revitalization of the San Francisco waterfront are greatly enhanced by a massive infusion of capital for public improvements from state and federal transportation funds. In San Francisco, after more than 10 years of careful planning, a series of new Waterfront Transportation Projects (WTPs) are now underway to pave the way for the revitalization of the Port. Originally, the WTPs were conceived as a single transportation project, primarily on Port property, that assumed the continued operation of The Embarcadero Freeway. In 1989, the Loma Prieta earthquake severely damaged the Freeway, and its subsequent demolition provided an exciting new opportunity to redesign the mid-Embarcadero segment of the WTPs between Folsom and Broadway and reconnect the City with its waterfront. While this redesign effort is underway, the City is proceeding with construction of the north and south segments of the projects.

When completed, the WTPs will provide an integrated system of major roadway, pedestrian, landscaping, historic signage and public art improvements from the intersection of The Embarcadero and North Point Street on the north to the intersection of Sixth and King Streets on the south. Additional improvements include: 1) the MUNI Metro Turnback Project, providing more efficient turnaround of MUNI Metro trains via an underground tunnel that will surface on The Embarcadero near Folsom Street; 2) a MUNI Metro light rail service from The Embarcadero station to the Cal Train station and, eventually, to Mission Bay; and 3) a new MUNI historic street car line (the F-Line) running in The Embarcadero median from the Ferry Building to Fisherman's Wharf.

These improvements will balance the transportation needs of the City's residents, visitors and workers with the needs of the Port's continuing maritime operations along The Embarcadero roadway. Equally important, the beautification of The Embarcadero will set the stage for a waterfront renaissance. The Port, together with the citizenry of San Francisco, are now confronted with the challenge of reshaping the edge of this great City. The visions embodied in the Waterfront Land Use Plan set forth on the following pages provide a place for most everything San Franciscans desire. With open minds, constructive criticism and cooperative spirit, San Franciscans will create a blueprint for action that will be a credit to this generation of San Franciscans for years to come.

[The following information about the process will be incorporated in graphic/timeline form in the Waterfront Plan]

Proposition H

In November 1990, the San Francisco voters adopted Proposition H which required preparation of a comprehensive waterfront land use plan with maximum feasible public input, and also provided minimum requirements for its contents, such as a ban on hotel development on the piers or within 100 feet of the shoreline. Proposition H also placed a moratorium on non-maritime development on the Port's piers and within 100 feet of the shoreline, pending completion of the plan. (The full text of Proposition H is provided in Appendix B.)

To ensure a comprehensive planning process covering the wide diversity of Port interests, the Port Commission extended the scope of the planning area to include all Port properties and created the Waterfront Plan Advisory Board to prepare and recommend a plan for Port Commission adoption. The 27 Advisory Board members were appointed based on recommendations from the Board of Supervisors and the Mayor, as well as through a general solicitation of interested citizens, maritime industry representatives, Port tenants, labor unions, neighborhood organizations, architects, urban planners and other professionals. The Board has been holding public meetings twice monthly since mid-1991.

Water-dependent activities were the focus of **Phase I** of the planning process. Following an 18 month review process, the Advisory Board determined the land use needs of water-dependent activities that are or could be operating at the Port. Water-dependent activities - those that require access to water in order to function - include cargo shipping, ship repair, passenger cruises, excursion boats and ferries, recreational boating and water use, historic ships, fishing, and temporary and ceremonial berthing. The land use needs of these industries were determined following intensive, industry-by-industry evaluations and public workshops. At the conclusion of Phase I in the fall of 1992, the Advisory Board tentatively reserved approximately 70% of the Port's properties to meet the future needs of water-

dependent activities, pending further review of those needs in the final phase of the planning process.

In **Phase II** of the planning process, the Advisory Board evaluated other activities that are not necessarily water-dependent, such as public access and open space, mixed use commercial development, museums, residences, and warehousing. The Advisory Board held public workshops and meetings over the course of a year to receive input from citizens, real estate and design professionals, and experts in transportation, historic preservation and other relevant disciplines on the feasibility and desirability of these new waterfront activities. Focus meetings also were held on sections of the waterfront to study the interrelationship of potential new waterfront activities with activities on neighboring properties. At the conclusion of this lengthy review in the spring of 1994, possible land uses were identified for the sites that had not been previously reserved for water-dependent activities in Phase I. These possible uses were outlined in *Options for Change,* a report published for public review and the subject of public meetings from the fall of 1993 through the spring of 1994.

This **Draft Waterfront Land Use Plan** integrates the preliminary findings made in Phase I and Phase II of the planning process into a proposed, comprehensive land use plan to guide the Port Commission in the use of its property. The Advisory Board will review, revise and adopt this Draft Waterfront Land Use Plan, prior to recommending it to the Port Commission. The Port Commission will then oversee preparation of an Environmental Impact Report (EIR) on the Draft Waterfront Land Use Plan pursuant to the California Environmental Quality Act. After the EIR is certified, the Port Commission will adopt the Waterfront Land Use Plan, with revisions as necessary. Concurrently, the City Planning Commission will hold a public hearing to ensure consistency between the Waterfront Land Use Plan and the City's *Master Plan*, as required by Proposition H.

CHAPTER 2: GUIDING PRINCIPLES OF THE WATERFRONT PLAN

Reuniting The City With Its Waterfront

The waterfront of a great city is truly a special place. A place to enjoy. A place to cherish. A place simply to be. The Port of San Francisco is no exception. Yet, like so many waterfronts across the nation, it is a place in transition, with too many outmoded maritime facilities and too few new activities to draw people to the shore. While future generations may look back on this time of transition as a brief moment in San Francisco's colorful history, for those who live here now it more likely feels that too much of the waterfront has been cordoned off from public use for too long. The challenge of the waterfront land use planning process has been to help guide the evolution of the waterfront to a place that reflects modern traditions and sensibilities, but where history also plays an essential role.

Through the over three year public planning process to determine future activities on Port lands, this balance has been struck. During meeting after meeting of the Waterfront Plan Advisory Board, the diverse citizens of San Francisco stood and asked for the waterfront of their dreams. Some called for the past days of industry and maritime commerce. Others called for new recreation and vital business activities along the waterfront, for places to eat and drink, run errands, work, rent a bike, launch a dingy, or to take refuge on a windy and foggy summer day. Still others called for quiet and restful places to enjoy the nature and the beauty of the Bay. Most called for all these places.

Throughout the planning process these and other themes came up again and again, reflecting the overarching goal of San Franciscans ***to reunite the City with its waterfront***. We have memorialized these themes here as the Guiding Principles for the Waterfront Plan that together will achieve this goal, and they are reflected throughout the land use policies that follow. The Guiding Principles guided the land use choices presented in this Plan but they are also recorded here so that as the Plan is implemented they will continue to serve as a guide for achieving the types and balance of waterfront activities that will reunite the City with its waterfront. In San Francisco, this goal will be accomplished through a ***working waterfront and revitalized Port*** with a ***diversity of activities, accessible to all San Franciscans and visitors***, that is ***mindful of its past and future,*** and where the ***design of new development is worthy of the Port's spectacular setting.***

A Working Waterfront

Port lands should continue to be reserved to meet the current and future needs of cargo shipping, fishing, cruises, ship repair, ferries and excursion boats, recreational boating and other water-dependent activities.

The Port has a rich maritime heritage, highlighted by the days of the freewheeling Barbary Coast, embarkation to the Pacific during World War II, and the colorful characters memorialized by Mark Twain and Jack London. In keeping with this maritime history, and with the Port's public trust responsibilities, Port land should continue to be reserved to meet the current and expansion needs of water-dependent activities - those that require a waterfront location in order to serve their basic function. In addition, in recognition of the fact that The Embarcadero is a public trust asset that the Port must use to promote public trust activities including maritime commerce, transportation access necessary for these waterside operations to thrive should be maintained and enhanced. To meet the needs of water-dependent activities, the Waterfront Land Use Plan provides for:

- Continued ***cargo shipping and ship repair*** operations along the southern waterfront.
- Modernized ***fishing operations*** in historic Fisherman's Wharf.
- Expanded opportunities for ***recreational boating and water activities*** throughout the waterfront.
- ***Expanded ferry boat and new water taxi operations*** at the Ferry Building, with satellite facilities to serve other waterfront areas.
- ***Excursion boat*** services from downtown, Fisherman's Wharf and other key visitor locations.
- ***Cruise ship*** operations in the northern waterfront.
- ***Historic ship berthing*** at Fisherman's Wharf and other highly visible locations.
- ***Ceremonial & temporary berthing*** throughout the waterfront.

A Revitalized Port

New investment should stimulate the revitalization of the waterfront, providing new jobs, revenues, public amenities and other benefits to the Port, the City and the State.

As discussed above, many of the Port's maritime activities require costly capital improvements, far in excess of what these industries can alone afford to bear. If these needs and other publicly desired open space and public access improvements are to be met, there must be a new and better balance between subsidized and revenue-generating activities at the Port. Fortunately, the Port stands at the crossroads of change. Dramatic

transportation improvements underway along The Embarcadero set the stage for a waterfront renaissance. The Plan identifies opportunities for new investments, often in the form of mixed-use developments, that will provide capital for reinvestment in maritime facilities and piers, public access and park improvements, and cultural and public gathering places. Private capital will be attracted to the waterfront once San Franciscans achieve consensus on the Plan, providing the certainty that is a precondition to reinvestment and revitalization.

These revitalized areas will enhance and complement the exciting new neighborhoods that have emerged adjacent to the Port over the last decade. The waterfront renaissance will restore the financial strength of the Port of San Francisco, stimulate the growth of waterfront jobs and tax revenues to the City, and provide space for new and expanding businesses.

A Diversity Of Activities And People

Port lands should host a diverse and exciting array of maritime, commercial, civic, open space, recreation and other waterfront activities for all San Franciscans and visitors to enjoy.

San Francisco Bay has always drawn San Franciscans and visitors to its shore to work, play and relax amidst the beauty and excitement of the waterfront. The Port's 7½ miles of waterfront property stretch nearly the entire length of the City's boundary on the Bay, offering ample opportunity to accommodate a greater diversity of maritime and non-maritime waterfront activities than occurs today.

As the revitalization of the Port occurs, the Port's water-dependent activities should be interspersed with other compatible land uses to enhance public enjoyment of the Bay, and exposure to the working waterfront. New mixed-use activity hubs should emerge along the waterfront, weaving together and reflecting San Francisco's diverse lifestyles and ethnic cultures, and the interests of mariners, employees and residents, the elderly and the young, people with special needs, recreation enthusiasts and people seeking solitude.

This array of new uses will reunite the City with its waterfront by providing new gathering places, full of life, that are safe both day and night.

Access Along The Waterfront

A network of parks, plazas, walkways, open spaces and integrated transportation improvements should improve access to, and enhance the enjoyment and appreciation of, the Bay environment.

The reconstructed Embarcadero roadway, public transit improvements and pedestrian promenade will bring grand and historic changes to the waterfront, creating a bold and continuous seam of public transit and public access along the northern waterfront, and a highlight along the regional Bay Trail.

New and existing parks, plazas and open spaces, as well as areas for nature, habitat and environmental restoration, should provide outdoor spaces where all the members of the public can enjoy either waterfront activities or the more tranquil aspects of the Bay in a quiet, unthreatening setting. Viewing areas and informational displays should provide visual access to waterfront activities where physical access must be limited.

The Plan encourages access improvements that allow all people to experience the City's diverse social, natural, and cultural environment by:

- Creating a "PortWalk" that integrates new open spaces, connected by continuous public access from Fisherman's Wharf through Mission Bay, with exciting new Pier activities.
- Providing public amenities such as restrooms, drinking fountains, food and drinks, and bike and skate rentals, where appropriate.
- Coordinating with and, where feasible, implementing the Regional Bay Trail.
- Designating protected wetlands in the southern waterfront.
- Providing for viewing areas and signage explaining existing waterfront activities, such as cargo shipping in the southern waterfront and fishing operations at Fisherman's Wharf.
- Encouraging new recreational boat moorings and other waterborne transportation improvements in conjunction with new commercial and recreational uses.

- Supporting transportation access for a full range of users, including continuous transit between the northern and southern waterfronts, and convenient and safe pedestrian crossings to the water's edge.

- Protecting vital truck routes and freeway and freight rail access necessary to serve the Port's cargo industry.

An Evolving Waterfront, Mindful Of Its Past And Future

Improvements should respect and enhance the waterfront's historic character, while also creating new opportunities for San Franciscans to integrate Port activities into their daily lives.

The evolution of the waterfront, from its beginning to the present, reflects San Francisco's colorful history. The waterfront should continue to serve as a repository for memories of past events, while also providing a stage for new experiences.

Recognizing that the waterfront will continue to evolve, a balance should be maintained between continued maritime activities, expanded public activities, protection of the waterfront's unique historic and architectural setting and resources, opportunities for nature and habitat protection and restoration, and financial responsibility. The Plan seeks to preserve past and allow for future waterfront memories by providing for or encouraging:

- Restoration of the Ferry Building to its original grandeur, and creative reuse of other historic waterfront structures to preserve the waterfront's historic fabric and context.

- New life for the City's historic fishing industry at Fisherman's Wharf.

- Continuation of the historic ship museum at the Hyde Street Pier, and additional historic ships interspersed along the waterfront.

- Private investment to create new public gathering places and business opportunities along the waterfront.

- Adaptive reuse of historic and architecturally significant structures such as the Union Iron Works buildings at Pier 70.

- New and existing wetlands at China Basin and in the southern waterfront.

- Interim uses to provide current activities on Port property reserved for long-term maritime expansion.

Urban Design Worthy Of The Waterfront's Setting

The design of new developments should highlight visual and physical access to and from the Bay, while respecting the waterfront's rich historic context and the character of neighboring development.

San Francisco is world renowned for the beauty of its waterfront. Compelling views of the water, sky, bridges and distant cities are experienced from hillside homes, City workplaces and streets, as well as from the water's edge, and are framed by the Port's maritime structures and facilities. New waterside improvements should respect these "Bay windows" and also encourage new visual and physical connections between the City and the water, via water taxis, public boat and ferry docks and other activities that draw people to and through the Port.

New Port developments should reflect and enhance the richness of the waterfront's setting. The varied land uses, building scale, and historic and architectural resources in neighboring districts reflect the City's diversity and establish a context in which complementary yet imaginative design should be integrated in Port improvements. The Plan furthers these objectives by:

- Respecting existing building height and bulk limitations and encouraging building designs that step down to the shoreline.

- Encouraging more physical connections between the land and the water throughout the 7½ miles of shoreline.

- Improving views of the working waterfront from all perspectives.

- Protecting and framing near and distant views to and from the Bay, particularly along major City streets.

CHAPTER 3: GENERAL LAND USE POLICIES

The Waterfront Plan Goal and Guiding Principles establish a framework for determining the acceptable uses for Port property. In general, the Guiding Principles favor a wide variety of land uses that retain and expand historic maritime activities at the Port, provide revenue to support new maritime and public improvements, and significantly increase public access to the water.

This chapter describes each of the categories of land uses that together will achieve the Guiding Principles. Accompanying land use maps show where the uses exist today, and where they could be developed in the future. General Land Use Policies govern all land uses on Port property, whether existing or new, long-term or interim. For new maritime and non-maritime development opportunities, additional site-specific standards are provided in Chapter 4: Area Objectives and Site-Specific Development Standards.

Maritime Uses

Maritime Uses consist of all "water-dependent" uses and all related support services as summarized below. The Port properties that are in current use, or available for future use for Maritime Uses are shown on Map ____. A more further description of the operations associated with each maritime activity is provided in Appendix A.

- ***Cargo Shipping*** - Including shipping terminals and berths, cargo warehouses, equipment storage and repair facilities, administrative functions, and employee support services (e.g. training facilities, parking).

- ***Ship Repair*** - Including drydock and berthing facilities, warehouses and workshop areas, administrative functions, and employee support services, including parking.

- ***Fishing*** - Including commercial and sport fishing harbor and berthing areas and support services (e.g. fuel docks), fish handling, distribution and processing facilities, administrative and maintenance functions, and parking.

- ***Recreational Boating and Water Use*** - Facilities for swimmers, kayakers, windsurfers and other enthusiasts as well as recreational boaters, including marinas and visiting boat docks, boat rental facilities, boat launching facilities, repair and dry storage, visitor parking, restrooms and other public facilities.

- ***Ferry and Excursion Boats and Water Taxis*** - Including berthing and passenger service facilities, storage, parking, administrative functions, lay-over berths and fueling stations.

THE MARITIME LAND USE MAP IS NOT INCLUDED IN THIS DRAFT.
IT WILL BE AVAILABLE THE WEEK OF JUNE 13, 1994.

- *Cruise* - Including passenger terminal and berthing facilities, ship servicing area, storage and visitor parking.

- *Historic Ships* - Including berthing areas, museum/exhibit space, storage and workshop space and parking.

- *Maritime Support Services* - Ancillary functions needed to support maritime activities including tug and tow operations, bar pilots, ship chandlers, associated parking and maintenance storage and warehouse facilities, Foreign Trade Zone, and Port maintenance.

- *Temporary and Ceremonial Berthing* - Including temporary berthing of historic, military or other visiting vessels.

- *Maritime Office* - Administrative functions for any maritime industry, (e.g. import/export businesses, legal and professional services) that serve maritime operations.

In general, the Port's industrial cargo and ship repair operations are concentrated in the City's industrial district south of China Basin Channel from Pier 48 to Pier 96, although Piers 15-17, 19-23, and 27-29 in the northeast waterfront currently are still used for newsprint cargo shipping and cargo warehousing. Port property in the southern waterfront favors container shipping operations, due to the availability of large tracts of land and maritime support services, such as warehousing, transportation services, and freight rail access. This area also continues to be the most viable location for the ship repair industry, because the industrial processes and emissions associated with that work require buffer zones to minimize impacts on surrounding neighborhoods.

In contrast, the majority of existing commercial- and recreation-oriented maritime uses, such as ferries and excursions, cruises, historic ship, and recreational boating operations are located north of China Basin Channel. Two exceptions are the fishing industry, traditionally regarded as an industrial use, which continues to be centered in Fisherman's Wharf, and the public boat launch and recreational boating facilities located south of China Basin, adjacent to Mission Bay. Contrary to the ship repair and cargo industries, where access by the general public is restricted or prohibited, the commercial and recreation-oriented maritime uses rely on good access and visibility in order to thrive. These maritime operations therefore benefit from proximity to other people-attracting activities, such as commercial and residential uses.

The Waterfront Land Use Plan also identifies "Transitional Maritime Sites" on Map ____, with accompanying General Land Use Policies below. For a variety of reasons, the cargo-related facilities at Piers 15-17, 19-23, and 27-29 are not likely to continue in cargo use

over the long-term. In the northeast waterfront, the transition of upland properties from industrial to residential and commercial uses, coupled with the transformation of The Embarcadero to an urban boulevard, have already hampered cargo operations (particularly convenient truck access to the piers). In addition, dynamic shipping industry trends and restrictions on dredging favor consolidation and centralized cargo operations, which can best be accommodated in the Port's southern waterfront.

In light of these key factors, which ultimately affect the profit margins for these operations, the future for industrial maritime activities in the northeast waterfront is limited. Although consolidation in the southern waterfront would yield maximum operational efficiency for the cargo industry, this shift would require initial capital investment for which the Port currently does not have the financial resources. These financial considerations would therefore need to be resolved before determining whether a Transitional Maritime Site is surplus to the needs of industrial maritime industries.

Although the Waterfront Plan supports continued cargo-related use of these facilities for as long as such use is viable, these sites should be considered for mixed use development, if they become surplus to the needs of the cargo industry. The conversion of these facilities to mixed use developments will provide additional opportunities to expand commercial- and recreation-oriented maritime operations in a setting that will enhance those maritime businesses. Moreover, the development of new commercial activities will provide a source of revenue to help finance maritime operations that are not financially self-supporting, as well as new open spaces and public access. Development standards for these alternate land use possibilities are presented in the discussion of the Northeast Waterfront in Chapter 4.

General Land Use Policies for Maritime Uses

The following General Land Use Policies apply to sites for Existing Maritime, Maritime Expansion, and Transitional Maritime Activities, as noted. In addition, more detailed development standards are identified for specific sites in Chapter 4.

General Policies for Existing Maritime

(1) Protect and, where feasible, enhance facilities for existing maritime uses by:

- a) Providing long-term leases and other incentives for maritime industries to invest in facility improvements and, where the economic condition of an industry does not permit such investment, seeking alternative sources of financing for needed improvements, including linkages to new non-maritime, revenue-generating development located on-site or off-site.

b) Permitting interim uses that are not necessarily maritime-related, as a means of supporting maritime industries suffering temporary economic decline. These interim uses would be subject to General Policies provided below for "Interim Uses" and should not prevent eventual reuse of the property for maritime uses when needed.

c) Making efforts to maintain buffer zones around cargo and ship repair operations, in order to avoid land use conflicts (e. g. noise, lighting, emissions, truck traffic impacts) with sensitive adjacent users, particularly residential populations.

d) Protecting existing truck and rail access and routes where feasible.

(2) Seek opportunities to increase public access to, and appreciation of, existing maritime activities by:

a) Incorporating public access to sites existing industrial maritime operations (ship repair, cargo, fishing) when feasible, in a manner that does not interfere or constrain the maritime operations. Such access may be limited to public tours, or public viewing areas and educational displays, and need not be provided on-site.

b) Including new public access improvements, such as walkways and viewing areas, as part of any substantial facility upgrade for commercial- and recreation-oriented maritime operations (excursions, ferries, cruise, recreational boating), if financially feasible.

c) Permit the development of accessory commercial services, such as retail convenience sales, and restaurant and food sales on a limited scale, to meet the needs of maritime employees and businesses, provided that such uses do not interfere with or preclude the primary maritime operations. Accessory commercial services also can make an area more inviting to the general public by providing places to observe and learn about maritime operations.

(3) Accommodate seasonal overflow demand for fish-handling facilities and temporary and ceremonial berthing at any pier that can safely meet these needs.

General Policies for Maritime Expansion

(4) Locate new industrial cargo and ship repair activities on maritime expansion sites south of China Basin, close to maritime support services and freight rail access.

(5) Protect truck routes and rail access necessary to support maritime expansion areas in the southern waterfront.

(6) Encourage the development of new commercial- and recreation-oriented maritime activities (e.g. water taxis, excursions, cruise, historic ships) on all maritime expansion piers north of China Basin by:

a) Linking the development of the new maritime activities with complementary non-maritime public and commercial activities as part of a mixed use program that would also include open spaces and public access in order to maintain a maritime character along the water's edge and to help finance the maritime-related capital improvements.

b) Providing high visibility locations from adjacent streets to enhance public views of the working waterfront.

c) Whenever possible, taking advantage of shared visitor parking and other services and amenities at adjacent or nearby development.

(7) Include public access improvements such as boardwalks, plazas, viewing areas, and educational exhibits in new maritime development, where feasible. The nature of these public access improvements will vary depending on whether they are commercial or industrial activities.

(8) Permit recreational boating and water uses in a variety of locations at the Port, including sites south of China Basin, provided that the type of recreational activity is compatible with the industrial or commercial nature of the maritime uses in the area.

(9) Accommodate seasonal overflow demand for fish-handling facilities and temporary and ceremonial berthing at any pier that can safely meet these needs.

(10) Permit the development of accessory commercial services, such as retail convenience sales, and restaurant and food sales on a limited scale, to meet the needs of maritime employees and businesses, provided that such uses do not interfere with or preclude the primary maritime operations.

General Policies for Transitional Maritime

(11) Permit the same maritime activities on Transitional Maritime sites that would be permissible on Existing Maritime or Maritime Expansion sites, until the Transitional Maritime sites are determined not to be needed for maritime facilities, if ever.

(12) Permit temporary and ceremonial berthing at any facility that can safely meet this need.

(13) Establish an implementation process that includes consideration of the following criteria before making a determination that a Transitional Maritime site is no longer viable for maritime activities:

a) Are there limitations regarding the site location, on-site structures and improvements, or other site characteristics that no longer enable the facility to be operated exclusively for maritime activities?;

b) Are there off-site conditions beyond the control of the Port Commission that have rendered the site unsuitable for exclusive use for maritime activities?;

c) Are alternative facilities available which enhance the viability of the maritime activities?;

d) Would continuation of maritime activities on the site require excessive Port resources, resulting in a significant financial hardship and/or operational inefficiency for the Port?;

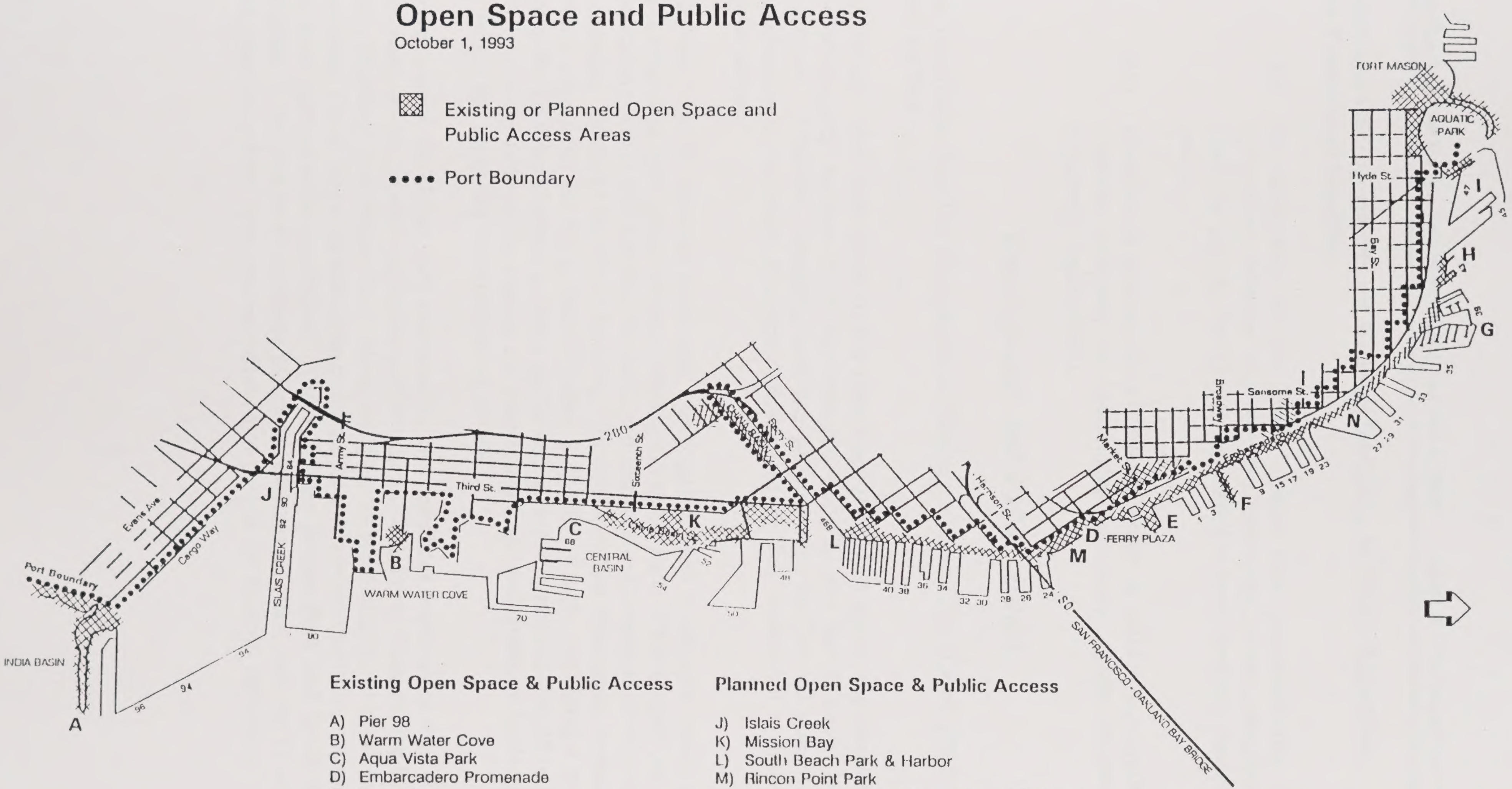
e) Have all reasonable measures been taken to provide alternate facilities that meet the operational needs of both the maritime operator and the Port, including meeting financial requirements to make necessary capital improvements at new locations?

Open Space and Public Access

October 1, 1993

▨ Existing or Planned Open Space and Public Access Areas

•••• Port Boundary


FORT MASON
AQUATIC PARK
Hyde St.
Bay St.
Sansome St.
Broadway
Embarcadero
Market St.
Harrison St.
FERRY PLAZA
SAN FRANCISCO - OAKLAND BAY BRIDGE
280
Sixteenth St.
China Basin
CENTRAL BASIN
WARM WATER COVE
Third St.
Army St.
ISLAIS CREEK
Cargo Way
Evans Ave
Port Boundary
INDIA BASIN
A
B
C
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Existing Open Space & Public Access

- A) Pier 98
- B) Warm Water Cove
- C) Aqua Vista Park
- D) Embarcadero Promenade
- E) Ferry Plaza
- F) Pier 7
- G) Pier 39
- H) Pier 43 1/2
- I) Pier 47A

Planned Open Space & Public Access

- J) Islais Creek
- K) Mission Bay
- L) South Beach Park & Harbor
- M) Rincon Point Park
- N) Waterfront Transportation Projects (Mission Bay to Fisherman's Wharf)

Additional General Policies for Existing Maritime, Maritime Expansion, and Transitional Maritime

(14) In recognition of the Port's public trust responsibilities to promote navigation, fisheries and maritime commerce, permit substitution of one maritime activity for another, as needed to meet changing maritime industry trends.

(15) Continue to give the Port broad discretion in maximizing opportunities for maritime activities, by minimizing permitting, design review and other regulatory requirements.

Open Spaces and Public Access

The Waterfront Land Use Plan identifies Existing and New Open Spaces and Public Access areas on Map _____.

Historically, there were relatively few open space and public access improvements provided on Port property, because of the maritime and industrial uses that formerly dominated the waterfront. However, changing land use patterns over the last 20 years have created opportunities to transform significant stretches of the Port waterfront to open spaces and public access.

The Pier 7 fishing and open space pier, completed in 1990, is the most recent and perhaps most successful open space amenity constructed at the Port. This elegant pier adjacent to downtown extends 900 feet into the Bay, and has received a number of awards for design excellence. South of the Ferry Building, The Embarcadero Promenade extends along the water's edge from the Agriculture Building to the Bay Bridge, providing a popular lunch retreat for downtown workers. Other public access improvements at Pier 39 in Fisherman's Wharf provide views of the marina and playful sea lions, and extensive landscaped gardens to delight the many visitors attracted to the area.

Unfortunately, not all the open spaces at the Port have been improved to their full potential, and many do not provide maximum public benefit. The Ferry Plaza on the bayside of the Ferry Building, and Warm Water Cove and Pier 98 are examples of these under-utilized resources. Other Port sites have been proposed or approved as major open space resources, but have not yet been developed. These include Rincon Park and South Beach Parks included in the *Rincon Point-South Beach Redevelopment Plan*, and the 11 acre wetlands and other waterfront open spaces approved as part of the *Mission Bay Plan*.

Together, the open space and public access areas shown on Map _____, when fully developed, will provide substantial and varied opportunities for public enjoyment, and will meet most of the City's *Master Plan* policies for open space along the eastern shoreline. In addition, the landscaping and public access improvements developed as part of the Waterfront Transportation Projects will introduce a dramatic open space element that establishes continuity and a uniform design standard for other new waterfront open space and public access improvements. An integrated series of open spaces and public access amenities will also connect the San Francisco segments of the regional Bay Trail which, when completed, will extend around the perimeter of San Francisco Bay.

However, the main constraint to realizing this future is a lack of Port or City financial resources to fund these ambitious public access and open space improvements. While the Waterfront Transportation Projects are paid for primarily with federal and state transportation funds, many of the other open space improvements have yet to secure financing. The Port actively pursues state and federal grant funds to pay for public access projects, such as the $500,000 grant secured for public access improvements at Pier 47A in Fisherman's Wharf. However, it is anticipated that there will be fewer public funding programs available in the future. As a result, the Port will need to rely on new revenue-generating developments to help create and maintain public access and open space improvements.

General Land Use Policies for Open Spaces and Public Access

The General Land Use Policies listed below apply to Existing and New Open Spaces and Public Access, as indicated. In addition, more detailed development standards for new open spaces and public access are identified for specific sites in Chapter 4.

General Policies for Existing and New Open Spaces and Public Access

(1) Ensure that the primary function of Open Spaces and Public Access is public recreation, which may be achieved in different ways depending on the location, including places that provide access to the water; quiet contemplative places for passive enjoyment; active places for civic gatherings and other urban events that draw large crowds; places that restore the environment and support wildlife habitats; places to learn about waterfront activities and the Bay environment; and places that appeal to children and seniors.

(2) Provide public facilities (e.g. restrooms, public phones, drinking fountains, information kiosks) in Open Spaces and Public Access areas wherever desirable and feasible.

(3) Route pedestrian paths and park circulation in Open Spaces and Public Access to create a PortWalk that maximizes connections with the Bay, and with the pedestrian promenade along The Embarcadero (where applicable) and the regional Bay Trail, were applicable.

(4) Provide public access around the perimeter of piers, wherever safe and feasible.

(5) Pursue funding strategies to improve appearance and maintenance of existing open space and public access improvements.

General Policies for New Open Spaces and Public Access

(6) Continue to pursue government and private funding and other financing strategies to cover the capital and maintenance costs requirements of new open space and public access improvements.

(7) Whenever possible, link the development of New Open Spaces and Public Access to the development of new commercial activities that would help activate the public areas as well as provide sources of development and maintenance financing.

(8) Where space permits, allow accessory commercial activities (e.g. food stands, bike or skate rentals) in limited amounts if there are no adjacent establishments on Port property, to provide services to open space visitors.

(9) Minimize shadows on open spaces and provide wind protection from adjacent development.

Residential Uses

Existing residential development on Port property is limited to Seawall Lots 331, 332 and 333 in the South Beach area. Those sites are developed with below-market housing for residents of Delancey Street, and low and moderate income households in the Steamboat Point Apartments. Under limited conditions, new Residential Uses may be developed on seawall lots, as shown on Map (same as Commercial Uses map.) Pursuant to the Burton Act, sites developed with housing must be declared surplus to maritime needs.

THE RESIDENTIAL AND COMMERCIAL LAND USE MAP IS NOT INCLUDED IN THIS DRAFT. IT WILL BE AVAILABLE THE WEEK OF JUNE 13, 1994.

Adjacent to the Port, there are several established and new residential neighborhoods mixed with commercial businesses, particularly in the northeast waterfront and South Beach areas. Additional residential development on certain Port seawall lots could complement the emerging upland neighborhoods. At the same time, residential use adjacent to mixed use developments on piers would increase security of public access areas along the waterfront, by introducing day and night time activities. Successfully designed and developed, residential uses on Port property will play a key role in reuniting the City and the waterfront.

General Land Use Policies for New Residential Uses

(1) Permit new residential development on upland sites north of China Basin (sites are specified in Chapter 4) if those sites are not required to support maritime activities on adjacent piers.

(2) Permit accessory commercial uses, particularly on the ground floor, to provide activities and interest for pedestrians, as well as goods and services for residents.

(3) Permit spaces for accessory community meeting areas to serve on-site or nearby residents.

(4) For projects that front on The Embarcadero, design buildings that protect the privacy of the residents, yet include landscaping and other treatments that reflect the public nature of the pedestrian and transportation improvements constructed as part of the Waterfront Transportation Projects, in order to create a transition that links the City to the waterfront and mixed use activities on adjacent piers.

(5) Avoid massive buildings by incorporating terraced or other building designs where appropriate, in order to protect visual access to the waterfront.

(6) Reserve 10% of the residential units in new developments for below market-rate units housing consistent with City policy.

(7) New residential development on seawall lots should generate surplus revenue to fund public trust-related Port activities, consistent with provisions of the *Burton Act*.

Commercial Uses

Commercial uses consist of the uses listed below.

Commercial Uses on Piers

- Artist (Designer and Crafts Studios and Galleries)
- Assembly and Entertainment - Includes conference facilities, theaters (cinemas and live performances) night clubs and nighttime entertainment venues, amusement parks, exhibition halls
- Commercial Recreation Facility - Includes facilities offering recreational and athletic fitness services
- Museums
- Parking (accessory to permitted uses only)
- Retail - Includes retail goods and services, and eating and drinking establishments
- Visitor Center
- Warehousing
- Wholesale Trade/Promotion Center - Includes wholesale trade promotion for a type of product, for example, California products (e.g. gourmet foods, wine, seafood, or other agricultural products), with related exhibit and conference facilities and import/export services.

Commercial Uses on Upland (Seawall lot) Sites

- Commercial Uses Permitted on Piers, Plus
- Hotels
- Office
- Parking

- Assembly and Entertainment (see above description for piers)
- Retail (see above description for piers)
- Warehousing

There has been very little commercial development on Port property within the last 20 years. Many of the existing commercial uses in the northern waterfront were developed before 1980 as single-use establishments, including Alioto's, The Franciscan, and other seafood restaurants, the Blue Shield office building in Fisherman's Wharf, and the Francisco Bay Office Park, in the northeast waterfront.

One exception is Pier 39, the visitor-oriented retail and entertainment complex in Fisherman's Wharf, which was developed in 1978 as a mixed use maritime complex. Although some critics consider the development too tourist-oriented, and not properly oriented towards the water, the development nevertheless successfully integrates marina and excursion boat activities, and public access features that have greatly improved the appearance of the area.

The Waterfront Plan strongly encourages that where feasible, new commercial development be a part of mixed use developments, including maritime uses and open space and public access improvements on piers, that can bring day and night time activity to the waterfront. Such developments, particularly where the mix of uses are planned in a coordinated fashion for adjacent seawall lots and piers, also provide excellent opportunities to reunite the City with waterside attractions and amenities. Furthermore, mixed use developments provide a steady stream of patrons for retail, restaurant and entertainment activities.

Planning for new mixed use developments also should maximize use of existing and new parking resources. New public transit service planned as part of the Waterfront Transportation Projects will greatly improve access to new developments on Port property, and should be promoted as the primary mode of transportation. However, the desire to provide new assembly and entertainment and other publicly-oriented uses along the waterfront, particularly those attracting people during the evenings and weekends, will still generate a need for parking. Wherever parking is provided, appropriate restrictions on its use and operation should be instituted to ensure it is the minimum amount necessary.

The development of major new commercial uses, particularly in mixed use developments on piers and waterside sites, will provide opportunities to establish a "PortWalk", extending public access walkways onto piers to guide pedestrians through different activities and connect to the Waterfront Transportation Project pedestrian improvements along The Embarcadero. A PortWalk would add another dimension to appreciating the waterfront, by providing a means for active enjoyment of the sights and sounds of waterfront activities.

The Waterfront Plan promotes a variety of commercial activities, including revenue-generating and non-profit uses that, in a mixed use program that includes maritime and public access improvements, can foster long-term public-oriented activities on Port property. The Commercial Uses are divided into two groups, which are described below: those permitted on piers and waterside sites, and those permitted on inland seawall lots. The sites on which the various Commercial Uses could be developed are shown on Map (same map as for residential).

The Waterfront Plan promotes low scale development along most of the waterfront, consistent with the existing 40 foot height limits that apply to all piers, except those in the Ferry Building area, where an 84 foot height limit applies. Most of the Port's upland seawall lots also have a 40 foot height limit, with 84 foot and 105 foot height limits for a few isolated parcels. All of the permitted commercial uses listed can be developed within these existing height limits.

General Land Use Policies For Commercial Uses

The General Land Use Policies listed below apply to existing and future Commercial Uses on all Port property. In addition, more detailed development standards are identified for specific sites in Chapter 4.

General Policies for Existing Commercial Uses

(1) Seek to improve public access and make the shoreline more attractive when renegotiating leases or issuing permits for Existing Commercial Uses, especially in areas such as Fisherman's Wharf, where there are few alternative locations available for new open spaces and public access.

(2) Ensure that the Port is receiving fair market rents for its facilities, through the use of real estate brokers and by monitoring lease obligations, taking into account the cost of any capital improvements or repairs for which the Port is responsible.

(3) Seek new commercial developments that generate sufficient revenue to finance maritime, open space and public access improvements included in the projects, and yield ground lease payments to the Port sufficient to meet other capital and operational costs.

General Policies for New Commercial Uses

(4) Encourage new Commercial Uses on piers or waterside properties, preferably as part of mixed use developments that include maritime activities and public access or open space amenities, primarily located in areas north of China Basin.

(5) Permit the mix of uses to be distributed among adjacent piers and seawall lots that together complement neighboring developments and integrate the waterfront into the rest of the City.

(6) Respond to the needs and interests of a full range of user groups in new mixed use developments, including seniors, children, San Francisco's diverse cultural community, disabled persons and other groups with special needs.

(7) Incorporate public access improvements that maximize visual connections (and physical contact, to the extent possible) with the water, and highlight maritime features included in the project.

(8) Extend waterfront business opportunities to minority and women-owned businesses, non-profit operations and small businesses.

(9) Create a PortWalk, made up of integrated public access walkways and interconnected plazas, provided in major new developments that connect with the Waterfront Transportation Projects pedestrian promenade along The Embarcadero, that:

  a) Guides circulation in and among activities on piers, and along pier perimeters wherever possible;

  b) Maximizes views of the water;

  c) Provides adequate lighting and security to promote public use of this amenity during the day and night.

(10) Incorporate into the design of mixed use developments:

  a) Coordinated building designs, particularly for projects that include more than one site, to achieve a cohesive, complementary blend of architectural styles among adjacent sites.

b) Coordinated landscaping and public access improvements to complement and enhance the Waterfront Transportation Project improvements along The Embarcadero (as applicable).

c) Terraced building designs or other design treatments that protect visual access to the Bay and avoid massive buildings.

d) Views from the waterside looking toward the city.

e) Sufficient building service (e.g. trash, storage) and loading space for delivery and service vehicles that does not detract from the building design.

(11) Promote architectural excellence in the design of new commercial development in a manner that also is sensitive and compatible with the existing building scale, and architectural and historic character of surrounding development.

(12) As a general rule, maintain a low scale of development on piers to minimize impacts on views, consistent with existing waterfront height limits.

(13) Promote use of public transit and minimize parking requirements for new developments, particularly for sites north of China Basin by implementing any of the following, as applicable:

a) Establish shared parking arrangements among Port-operated parking facilities, as well as with non-Port parking operations in adjacent areas that are conveniently located to serve daytime, evening and weekend activities at the Port.

b) Provide shuttle service between new development and parking facilities, where sufficient nearby parking is not available.

c) Limit the amount of available long-term (all day) parking;

d) Promote ride sharing and use of public transit through the sale of transit passes, provision of van pool/car pool parking spaces, and joint promotional campaigns with transit providers.

e) Provide parking information and signage systems to identify parking under utilized parking locations.

(14) If there is no alternative upland location, permit limited accessory parking on piers that:

a) Is enclosed or otherwise screened from view.

b) Does not interfere with public access areas.

c) Does not generate significant traffic congestion on The Embarcadero.

Other Uses

The Waterfront Plan also provides opportunities for activities other than Maritime, Open Spaces and Public Access, Commercial and Residential Uses, which are listed below. Development opportunities for each of these uses, except Public Academic Institutions, are limited to one area. In lieu of General Landuse Policies provided in this Chapter, site-specific Development Standards for these uses are presented in Chapter 4. General Land Use Policies for Community and Public Academic Institutions are provided below, with further site-specific Development Standards presented in Chapter 4.

- Power Plants (including Co-Generation Facilities): Refer to Chapter 4, Objectives for the Southern Waterfront.
- Transit Facilities: Refer to Chapter 4, Objectives for the Ferry Building Waterfront.
- Sports Facilities (including an Arena): Refer to Chapter 4, Objectives for the South Beach/China Basin Waterfront.
- Community Facilities (including Fire and Police stations): Refer to Chapter 4, Objectives for the South Beach/China Basin Waterfront.

General Policies for Public Academic Institutions

(1) To the maximum feasible extent, provide short courses and workshops on a pay-as-you-go basis that provide varied educational opportunities to the general public.

(2) Prior to development, prepare a campus plan that addresses the following:

  a) Provision of public access improvements.

  b) Transportation plan that actively promotes public transit use and includes a parking mitigation program, if applicable.

Interim Uses

The Port's ongoing management responsibilities, in combination with the following facts, require the development of a clear policy to guide the interim use of Port property:

- The Port's weak financial condition has precluded the Port from making investments in its deteriorating properties.

- For the foreseeable future, lingering effects of the recession in the Bay Area real estate market, in addition to the complexities of major new waterfront development projects, will continue to deter private investment that would result in long-term improvements or increased cash flow to the Port.

- The Port will need to rely more heavily than ever on its ability to maximize the productivity of its existing facilities in order to generate the revenues necessary to fund its ongoing operations and legally mandated activities, and to build cash reserves for capital investment.

- The revitalization of Port property can begin sooner if new businesses, programs and activities are initiated, even on an interim basis, to begin bringing more workers, residents and visitors to the waterfront.

- If, after the Port Commission and other City agencies approve the Waterfront Plan, changes to BCDC regulations or State Legislation are required before proposed long-term uses could be developed, interim uses would insure the economic use of Port property pending these changes.

Currently, there is no clear consistent regulation of interim uses on Port property. This is a concern particularly for non-maritime activities, which are subject to review by the City Planning Commission, BCDC and the State Lands Commission, in addition to the Port Commission. Because there is no clear regulatory distinction between short-term and long-term leases, prospective tenants that would like to rent existing space for a 10 year period, for example, are subject to most of the same time-consuming and expensive application,

government review procedures, and exactions, as a new major development project that will have a 50 year life. Existing guidelines for interim uses also vary according to location. BCDC generally limits interim uses in the southern waterfront to five years or less as part of a Bay Area-wide plan (the "*Seaport Plan*") to protect marine terminal expansion areas. Given the excess capacity at the Port's existing terminals, and the enormous supply of waterfront property that may be suitable for marine terminal expansion that will be available upon closure of military bases, BCDC will likely revise current policies.

There are few existing regulations that address interim uses on the remainder of the Port's property. Those policies that do exist primarily address the problem of non-conforming uses, which are generally discouraged, without making allowances for uses that should be encouraged although only for limited terms.

General Land Use Policies for Interim Uses

The following General Land Use Policies apply to sites for Interim Uses in the three different categories of Port property described below. In addition, more detailed development standards are identified for specific sites in Chapter 4.

General Policies for areas North of China Basin Channel and Within BCDC's 100 Foot Shoreline Band

(1) Promote productive use of piers and bulkhead buildings on an interim basis, instead of allowing those facilities to stand vacant, where market trends or limited Port resources prevent rehabilitation and reuse consistent with long term objectives for the site, by:

  a) In general, allowing interim uses, for terms of up to five years, such as small business incubator industries, public academic institutions, community facilities, parking or warehousing, within or on existing structures, provided that only minor repairs to the facility or substructure are necessary to permit the use to occur.

  b) In exceptional cases, where longer amortization periods are needed, allowing renewal of leases, for one additional five year period, for interim uses established with provisions that allow early termination of the lease by the Port in the event that new development opportunities consistent with the Waterfront Land Use Plan, or other circumstances, are identified.

  c) Encouraging BCDC to adopt policies regarding its requirement for maximum feasible public access that recognize that interim uses can

not be expected to support the same level of public access improvements as longer term uses.

d) Allowing interim uses that are principal permitted uses in C-2 Districts (the principal uses district designation on non-Port property in this area) to be approved as principal permitted uses on Port property, through a streamlined entitlement process.

(2) Protect the environment and ensure compatibility with adjacent uses when authorizing interim uses by:

a) Reviewing the list of principal permitted uses in a C-2 District and prohibiting those that could present a particular threat to the environment if conducted on a pier.

b) Reviewing the list of principal permitted uses in a C-2 District and placing additional limitations on those permitted as principal permitted uses, if that use is to be located within 100 feet of any residential district, and the use would involve activities that would generate excessive noise, dust or glare.

General Policies for Seawall Lots North of China Basin Channel

(1) Promote productive use of vacant seawall lots on an interim basis, in general, for up to five years, where market trends or limited Port resources prevent development consistent with long term objectives for the site, by:

a) Permitting the use of seawall lots for open air parking lots and other types of open air uses that would be permitted as principal permitted uses in a C-2 District.

b) Allowing renewal of leases, for additional five year terms for interim uses if the use continues to be compatible with surrounding activities with provisions that allow early termination of the lease by the Port in the event that new development opportunities consistent with the Waterfront Land Use Plan, or other new circumstances, are identified.

c) Discourage construction of any facilities that would tend to deter redevelopment of seawall lots for longer term uses, but permit temporary structures or structures that are easily removed such as

carnival tents, roadside produce stands, diner, or converted rail cars (e.g. Victoria Station) in order to promote uses and activities that would enliven the area.

(3) If the use of a temporary structure is identified in the Waterfront Plan as a permitted long term use, authorize that use for a term of up to fifteen years notwithstanding that the use may not satisfy all guidelines appropriate to permanent structures on the site.

(4) Protect the environment and ensure compatibility with adjacent uses when authorizing interim uses by:

  a) Reviewing the list of principal permitted open-air uses in a C-2 District and prohibiting those that would present a particular threat to the environment because of the potential for groundwater or soil contamination.

  b) Reviewing the list of principal permitted uses in a C-2 District and placing additional limitations on those permitted as principal permitted uses if that use is to be located within 100 feet of any residential district, and the use would involve activities that would generate excessive noise, dust or glare.

General Policies for Areas South of China Basin Channel Within BCDC'S Seaport Plan Planning Area

(1) *BCDC Seaport Plan* policies should provide flexibility to permit "interim" uses generally for periods of one to ten years, with exceptions for twenty to thirty years or more as needed to make productive economic use of the property, by:

  a) Permitting interim uses on Existing Maritime sites that are not necessarily maritime-related, as a means of supporting maritime industries suffering temporary decline.

  b) Encouraging interim uses, such as general warehousing and distribution operations, that can use existing facilities, thereby preserving those facilities for ultimate re-use for port-priority purposes.

c) Encouraging interim uses that can use raw land with a minimal level of improvement to the property, such as bus or truck storage or other open air uses, screened from view where necessary if adjacent to residential or commercial districts.

d) Permitting construction of new facilities and a sufficiently long lease term to allow amortization of the improvements for long-term interim uses that are not necessarily maritime related uses. Before allowing long-term interim uses, establish procedures for determining that sites can be encumbered without undermining the Port's future maritime business opportunities.

(2) Maintain existing City zoning designation of M-1 or M-2 in order to permit a broad range of productive uses, which include industrial activities.

(3) Ensure compatibility of interim uses with current and anticipated future use of adjacent non-Port areas by:

a) Limiting interim uses on the waterfront between Pier 52 and Pier 64 to shorter terms of one to ten years unless the use would be compatible with the residential and other uses identified in the *Mission Bay Specific Plan.*

b) Discouraging industrial activities that would generate noise, dust, glare or excessive truck traffic in areas that border existing residential or commercial uses.

Unacceptable Non-Maritime Land Uses

On May 10, 1994, the Waterfront Plan Advisory Board voted to declare the following uses unacceptable non-maritime uses on piers or within 100 feet of the shoreline, which are to be added to the unacceptable land uses under Section 5 of the 1990 Proposition H Ordinance. All unacceptable uses voted on by the Board apply only to non-maritime, non-water dependent uses.

- private clubs
- residential
- sports facilities with seating capacity greater than 22,000

- non-accessory parking (i.e. parking built specifically for parking purposes only)
- adult entertainment
- large grocery stores in excess of 5,000 square feet
- any building over 50 feet in height
- non-marine animal services
- mortuaries
- heliport or seaplane-bases for aerial sightseeing
- oil refineries
- tennis courts
- hotels*

*Hotels already are designated as an unacceptable use in the adopted Proposition H Ordinance.

THE FISHERMAN'S WHARF WATERFRONT

The Fisherman's Wharf Waterfront extends from the swimming club docks at the east end of Aquatic Park to the east side of Pier 39.

Objectives for the Fisherman's Wharf Waterfront

Restore and expand Fisherman's Wharf as a working fishing port.

The continued presence of a healthy fishing industry is essential to maintaining the colorful ambiance and the economic well-being of Fisherman's Wharf. Fishing industry operations currently take place at Fish Alley, Piers 47, 49 and 45 and the Inner and Outer Lagoons. In recent years, environmental conditions have greatly reduced the available fisheries resources, which in turn has reduced the economic health of the fishing industry. At the same time, more stringent sanitation and safety regulations for fish handling will mean significant infrastructure and utility costs to adapt facilities to meet changing requirements. The Port is striving to bolster the fishing industry, and projects under construction and in the planning stages will provide an impetus for further economic revitalization and investment by fishing companies at the Wharf.

In 1988, the Seafood Center project was proposed by the Port Commission to improve the commercial fishing industry at the Wharf. The Seafood Center included a new 88 berth marina along the east side of the Hyde Street Pier and renovation of fish handling facilities at Pier 45. Following the 1989 Loma Prieta earthquake, which displaced 10 fish handling businesses that operated in Shed B on the westside of the Pier, the Port began an $11.6 million earthquake repair project at Pier 45, now in its final construction stage. The Port also is seeking funds for the Harbor, which will be constructed following environmental and regulatory approvals, if funds are obtained.

Upon completion of earthquake repairs at Pier 45 in 1994/95, 108,000 square feet of modern fish off-loading, fish handling, and distribution space will be available. The Port intends to return fishing industry activities that were temporarily relocated to Piers 28 and 33 after the earthquake, back to Pier 45.

Efforts should be made to complete all the proposed Seafood Center Project improvements as soon as possible. When complete, these improvements will address most but not all of the difficulties the industry faces in the congested Wharf surroundings. For example, the industry has an unmet need for storage space. Although it is desirable to locate this type of storage within the waterfront area, Bay frontage is not required as long as equipment can be transported from storage to boat by truck or forklift. As space becomes available on Port and non-Port property in the northern waterfront, efforts should be made to provide additional storage areas and services for the industry.

Attract revenue-generating new uses to help support and subsidize fishing industry and public activities.

The primary challenge in Fisherman's Wharf is how to finance additional improvements needed to ensure the continued presence and improved health of the fishing industry. In this regard, the Port recently received a grant to study the feasibility of locating a Fisheries Center on Pier 45 to serve the fishing industry and the public. Center uses may include offices and research facilities, fish handling and marketing activities, a test kitchen and retail area for the sale of fish and related products, a visitor/interpretive center to educate the public about the fishing industry and the environment on which it depends, and conference facilities. Other compatible uses may be located in Sheds A or C to serve and attract the public, help finance the Center and provide much needed revenue for Wharf-area improvements.

In addition to Pier 45, a significant amount of fish handling occurs at Fish Alley, the historic center of Fisherman's Wharf. Like Pier 45, however, these buildings require substantial modernization to meet current operational requirements. Although Port tenants at Fish Alley have long-term leases (most through 2036), theoretically providing them with a greater financial incentive to make leasehold improvements, such improvements have rarely been made because of the constricted physical layout of Fish Alley, limited vehicle access and parking, poor structural condition of the buildings, and poor economic health of the industry.

Given the depressed state of the fishing industry, Fish Alley buildings may be in less demand for fish handling and related businesses once modern fish handling facilities are completed on Pier 45 in 1994-1995. Nevertheless, there remains a strong interest in preserving the character and charm of Fish Alley. It is therefore appropriate to allow adaptive new use of current fish processing facilities during down cycles in the industry, with the ultimate goal of returning the facilities to fish handling use once the industry is healthy again. Interim uses would ensure that this historic area remains active and inviting at all times. However, any adaptive reuses should not encourage heavy traffic, and should not involve extensive remodeling because major investments for new uses tend to encourage permanency.

Provide space for the existing and expansion needs of other maritime activities at the Wharf.

In addition to the fishing industry, Port property at Fisherman's Wharf is used for many other water-dependent activities. Recreational boating occurs at the Pier 39 marinas, and swimming and recreational activities are managed by the City's Recreation and Parks

Department at Aquatic Park. The South End Rowing Club dock and the northern end of the Dolphin Club dock at Aquatic Park are on Port property. Ferry and excursion operations are based at Pier 39, Pier 41½ and 43½. Historic ship berthing occurs at the Hyde Street Pier, home of the San Francisco Maritime National Historical Park, which has the largest concentration of historic ships in the nation, and at Pier 45 where the *USS Pampanito* is berthed. Ceremonial berthing occurs on the east side of Pier 45.

Efforts should be made to provide these and other maritime businesses with new and expansion space so that their operations can continue to be viable at the Wharf. For example more berthing areas for ferries and excursions, and possible sites for water taxi docking need to be provided.

Continue to integrate public, commercial, and maritime activities to preserve and enhance the diversity of uses at Fisherman's Wharf.

In the 1950s, Fisherman's Wharf was primarily an industrial area comprised of commercial fishing, manufacturing, warehousing and maritime uses, surrounded by small-scale residential uses. Visitor-serving facilities primarily consisted of restaurants adjacent to the Inner Lagoon fishing harbor. Over the years, this pattern has changed dramatically. Except for fishing industry facilities, industrial activities have virtually disappeared. Today, Fisherman's Wharf is comprised of an eclectic mix of fishing industry and other maritime and visitor-serving uses. The area now is one of the most visited tourist attractions in the United States, offering entertainment, restaurants, art galleries, museums, historic ships, parks, beaches and swimming areas, shops, hotels, offices and housing.

Clearly, the fishing industry should remain a top priority at the Wharf. Indeed, the reason that the Wharf became a visitor attraction in the first place is that the public enjoyed observing fishing industry activities. But it is clear that visitor-serving facilities and services also are key to the continued success of the Wharf and need periodic updating and improvement. Any conflicts between fishing industry and visitor-serving activities should be minimized, so that new uses do not pose a barrier to the long-term enhancement of the fishing industry. A more visible fishing industry will improve the character and charm of Fisherman's Wharf.

Encourage activities that will facilitate the use of the area by local residents and diminish the Wharf's image as a "tourist-only" attraction.

The Fisherman's Wharf area is bordered by offices, housing, open space, neighborhood commercial and maritime uses. Yet, because the area is viewed by San Franciscans as a tourist area, many local residents believe that it has little to offer them. New Wharf

activities such as arts, educational, historical and recreational facilities, and places of public assembly (such as festival halls, meeting halls or conference centers) should be encouraged to increase the appeal of Fisherman's Wharf to local residents. Festival-type assembly and entertainment uses and events such as the annual Festa Italiana should be encouraged because they draw thousands of residents to the area and cause only temporary minor disruption to the fish handling activities at the Wharf. Also, the Fisheries Center would provide enhanced public access and educational exhibits related to the fishing industry. Additional office uses, particularly above ground level, would provide activities at the Wharf oriented to local residents, and increase off-season patronage of Wharf shops and restaurants. These types of new uses should be encouraged in order to attract more San Franciscans to the heart of Fisherman's Wharf.

Rationalize and enhance the public access and open space program at Fisherman's Wharf.

Pier 39, a major mixed-use development, provides most of the improved public access and open space at the Wharf, including dedicated public access around the Pier 39 perimeter, public access and fishing at Pier 41 atop the west marina breakwater, and the 4.6 acre Waterfront Park extending from Pier 41 to Pier 35 between The Embarcadero and the water's edge. Additional public access and open space improvements planned in conjunction with a new aquarium at Pier 39, include viewing plazas with exhibits focusing on the Bay environment, "Story of the Bay" plaques ringing the 2nd floor of the Pier and a comprehensive sign program emphasizing public access to the Bay at Piers 39, 41 and 43. In addition, 18,000 square feet of new access will be created at Pier 43, by the historic railroad arch where ferries used to dock and unload rail cars.

Other public access areas at the Wharf include access through the Inner and Outer Lagoons, along the east side of Pier 45, and along Pier 43½. In general, however, these areas are hard to find and not clearly connected, making it difficult for pedestrians to flow through the area and enjoy the Bay. These problems are most evident at Pier 43½ and the adjacent Triangle Site located in the heart of Fisherman's Wharf.

Both Pier 43½ and the Triangle currently are used for surface parking and visitor-serving retail uses. During recent planning efforts at the Wharf, the possibility of creating a grand open space which would be the civic focus of the Wharf was studied. This would require removing surface parking and replacing it in an underground garage. Because funds for the garage and open space improvements are not available, more modest pedestrian and open space improvements, leading to and including the Triangle, Piers 41, 43½ and 45 were proposed and the first phase of these improvements are under construction. Further consideration should be given to other ways to reconfigure at least some of the parking that is necessary for Wharf businesses, thereby freeing up more space for pedestrian and open

space improvements, provided that the impact on existing parking that is necessary for ongoing tenant operations is addressed. Alternatively, more opportunities for valet parking should be explored here. In addition, the door should be left open to negotiations with existing tenants, if they are amenable, about the feasibility of allowing a small amount of additional revenue generating space for their use, in exchange for public access, open space or other significant public improvements.

Public access and open space areas should be expanded and linked to existing open spaces via a "PortWalk" in the Wharf to allow the public to enjoy the beautiful waterfront setting and fully experience the "working waterfront". As an example, the Port is renovating Pier 47A, providing berthing and pedestrian improvements so the public can better view fish handling and off-loading operations. The Wharf also is a prime area for interpretive signage to teach the public about different types of fishing boats and fish caught and about the Wharf's colorful history. The design of new development should help realize the PortWalk by improving pedestrian circulation and clarifying pedestrian connections to the Bay, to the ferries and between Wharf attractions, including Aquatic Park.

Provide efficiently planned parking and loading facilities to serve Wharf activities.

The lack of both long and short-term parking is one of the most frequent complaints of members of the fishing industry. At the same time, existing restaurants and visitor-oriented businesses and swim clubs also depend on parking for their patrons. From mid-morning through evening, all these drivers suffer intense competition for parking spaces. Affordable parking for commercial and sport fishermen heading out to sea is especially scarce, and public transit is not readily available during the early morning hours when the industry is the busiest. In addition, parking is needed in close proximity to fishing boats for off-loading gear. Long-term fishing industry parking spaces are proposed to be provided in Shed A as part of the Pier 45 improvements. The Hyde Street Harbor project will provide short-term loading and unloading spaces adjacent to new berths. However, there is concern that the amount of parking may be insufficient to accommodate other Wharf business and visitor needs, particularly if there is additional development in the area. Also, although improved fish handling facilities at the Wharf will permit storage of a greater volume of fish products, the need for semi-truck access to both receive and deliver cargo will persist. An area also is needed for the informal fish trading that currently occurs along Jefferson Street, causing sanitation and congestion problems for Port tenants and visitors.

Without parking, existing Port tenants and the Port would suffer significant decreases in revenues from Wharf operations. A creative solution to this challenging problem should be determined, such as measures to improve utilization of existing parking garages off Port property which rarely fill, shared parking facilities for uses with different time needs, and

parking vouchers for swim clubs and sport fishing patrons.

Standards for New Development

Fisherman's Wharf Mixed Use Opportunity Area.

The Fisherman's Wharf Mixed Use Opportunity Area includes Seawall Lot 302, Fish Alley (Seawall Lot 303), Pier 49, Pier 47, Pier 45 - east-side, Pier 43½, and the Triangle (Seawall Lot 301).

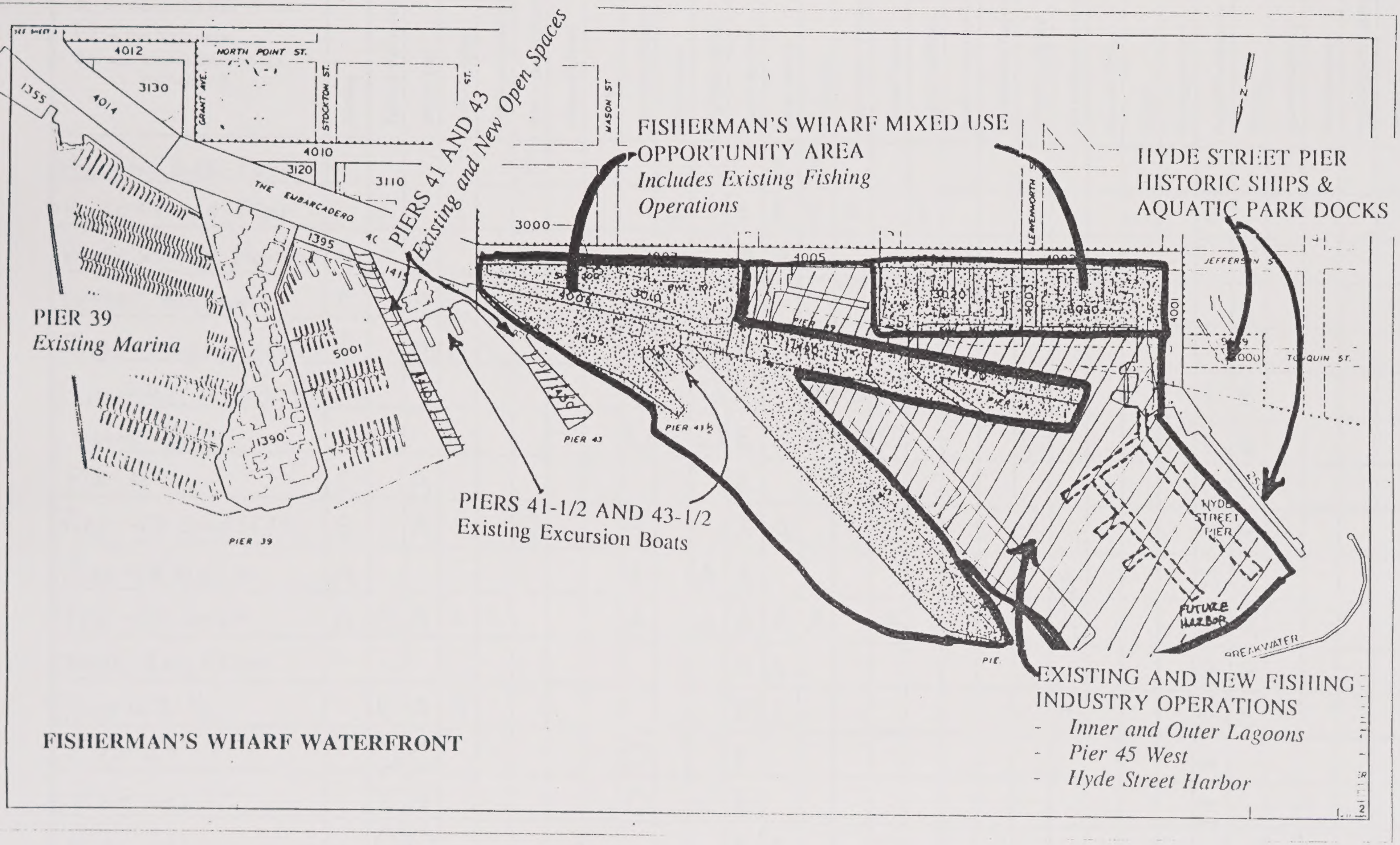
Because most of the Port's property at Fisherman's Wharf already is developed, incremental rather than large changes are expected to be the norm at the Wharf. Nevertheless, because of the density of the area and the different and sometimes conflicting needs of the fishing industry and visitors, any changes in this area must be carefully managed to ensure that the needs of all the area's users are met. Additionally, an often stated goal is that the area should appeal more to local residents. The challenge in this area, therefore, is to establish the proper mix of priority fishing and other maritime activities, and compatible visitor-serving and revenue-generating uses to help subsidize Wharf area maritime and public improvements.

This Opportunity Area has been established to ensure that these sometimes competing needs are given special attention and that guidelines to help maintain the balance and quality of uses at the Wharf are in effect.

Development Standards:

General:

- Provide new meeting spaces, restaurants, retail and equipment storage areas oriented towards the needs of the fishing industry.
- Allow new retail uses that contribute to a better balance between, and quality of, local and visitor-serving goods and services.
- Review the design of any development for compatibility with the maritime industrial context of area and orientation towards the Bay.
- Encourage maritime office uses on either a long-term or interim basis, to help support the Wharf's maritime industries, and to provide an increased


4012
NORTH POINT ST.
3130
1355
4014
GRANT AVE.
STOCKTON ST.
MASON ST
4010
3120
3110
THE EMBARCADERO
3000
1395
5001
1390
PIER 39
PIER 43
PIER 41½
3006
3010
1435
4005
3020
LEAVENWORTH ST.
4001
JEFFERSON ST.
PIER 45
HYDE STREET PIER
FUTURE HARBOR
BREAKWATER
N

PIERS 41 AND 43
Existing and New Open Spaces

FISHERMAN'S WHARF MIXED USE OPPORTUNITY AREA
Includes Existing Fishing Operations

HYDE STREET PIER HISTORIC SHIPS & AQUATIC PARK DOCKS

PIER 39
Existing Marina

PIERS 41-1/2 AND 43-1/2
Existing Excursion Boats

EXISTING AND NEW FISHING INDUSTRY OPERATIONS
- *Inner and Outer Lagoons*
- *Pier 45 West*
- *Hyde Street Harbor*

FISHERMAN'S WHARF WATERFRONT

Acceptable Land Use Summary: Fisherman's Wharf

NOTE KEY:

- **A = Acceptable Use**
- **E = Existing Acceptable Use**
- **E/I = Existing Use/May Continue As Interim Use**
- **X = Accessory Use**
- **○ = For Discussion**

See also Interim Use Policies in Chapter 3

	Fishing	Ferry & Excursion	Water Taxi	Historic Ships	Temporary and Ceremonial Berthing	Recreational Boating & Water Use	Cargo-Related	Cruise	Maritime Support	Ship Repair	Maritime Office	Public Access	Open Space	Museums	Community Facilities	Visitor Center	Transit Facilities	Public Academic Institution	Commercial Recreation	Artist/Designers	Assembly & Entertainment	General Office	Hotels	Residential Use	Retail/Restaurants	Parking	Sports Facilities	Warehousing	Wholesale Trade/Promotion Center	Other:	Other:
Aquatic Park-Port						E							E	E																	
Hyde Street Pier		X	A	E						E		E	E	E	E		E								E						
Hyde Street Harbor	A		A			E/I			A		A	A	A													X					
Outer Lagoon	E		A						E			E														E					
Inner Lagoon/PierJ7	E		A	A					E			E																			
Fish Alley (SWL 303)	E								○		○	E		A	○	○				E/I	○				E	E					
SWL 302									○		○	E		A	○	○				E/I					E	E					
Pier 49	E		A									E													E	E					
Pier 47 and 47A	E		A			○			E			A	A												E	X					
Pier 45 West	A								A		A	A									A				A	X					
Pier 45 east	A	○	A	E	E				A		A	A	A	A		A					A				A	A					
SWL 301/300												E	A												E	E					
Pier 43 1/2		E	A	A								E	A								A				E	E					
Pier 43		○	○						○			E													A						
Pier 41 1/2		E	A						○		E	E													E						
Pier 41		○	○									E	E																		

Acceptable Land Use Summary: Fisherman's Wharf

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Pier 39, 39½, 35½		E	A	○		E						E	E	A							E				E	X					
SWL 311																										E					
SWL 312													E																		
SWL 313																						E									

flow of patrons for shops and restaurants during the off-season.

- Provide a retail fish market where it would not conflict with the safe and efficient functioning of fish handling operations.

- Provide berths for frequently changing historic, military and other ceremonial vessels to attract local residents as well as visitors, enliven public access and provide revenue to the Port.

- Coordinate new development with improvements to vehicular access and circulation in order to minimize traffic impacts.

- Encourage maximum coordination between merchants, fishing industry and existing garage and parking lot operators and install better signage to fully utilize existing parking.

- Future commercial developments should meet expected demand for off-street truck loading space.

- Provide safe and adequate truck access routes and truck loading space in this congested tourist area to meet the needs of fishing, retail, and other businesses.

- Evaluate relocating fish truck distribution activities from Jefferson Street to Port property.

- Encourage a museum of fishing industry, maritime or Wharf history.

Fish Alley:

- Make every effort to preserve the existing balance between fishing and commercial uses.

- Preserve the small scale maritime-industrial character of Fish Alley by retaining the older buildings, to the extent possible, and adapting them to the needs of and use by modern fishing businesses. In the event a building cannot be retained, then any replacement buildings must be consistent with the historic maritime industrial character of the area.

- In the interior block of Fish Alley, continue to give priority to fish handling,

processing and distribution, chandleries, restaurants and bars oriented towards fishermen, and other businesses serving the fishing industry.

- If fishing-industry uses are not needed, then interim, adaptive reuse of Fish Alley buildings for other uses oriented to the fishing industry (warehousing, storage for maritime industries, and commercial services for fishermen), other maritime activities, artist or designer studios or galleries, or visitor-serving Wharf activities, should be considered, provided that they do not disrupt remaining fishing industry uses and that they retain the architectural character of Fish Alley.

- Allow interim adaptive new uses only if they do not involve major capital investment (which tends to encourage longevity) and do not permanently prevent reuse for fish handling when the industry experiences an upswing.

- Restrict any artist or designer studios or galleries in Fish Alley's interior block to "working artists" or other craftspersons whose activities would be observable by the public, particularly those related to a maritime theme, such as a wooden boat building center.

- Allow a broader range of visitor-oriented artists (artist studios open to the public), and art galleries, museums, and other compatible uses on Jefferson Street than in Fish Alley, provided that they preserve the architectural character of the area, serve the needs of visitors and San Franciscans and are compatible with adjacent retail and fishing industry uses.

Pier 45 East Side:

- Develop a Fisheries Center if there is a demonstrated demand for it, and it can be financially viable.

- Allow parking inside the sheds to support the fishing industry, Fisheries Center, and new uses on Pier 45, or to replace parking that could be relocated from other Wharf sites that are more appropriate for open space. Any shed parking should be oriented toward the interior of the Pier, leaving the eastern sides of the sheds for uses that encourage and enhance public access on the east side of the Pier.

- Consider water-taxi, shuttle bus service and other means of reducing traffic

congestion if the Fisheries Center is developed.

- Continue historic ship and ceremonial berthing but, other than the *USS Pampanito*, additional berths should be used to host an everchanging display of ships, so as to maximize visits by local residents.
- Provide public access on the eastside of Pier 45 and activate the access with retail, museum, Fisheries Center, assembly and entertainment and other uses in Sheds A and C to attract the public.
- If feasible, incorporate a small open space at the southern end of Pier 45, with an accessory retail use oriented to users of the open space.

Pier 43½ and the Triangle (Seawall Lot 301):

- Continue to explore possible relocation sites, including an underground garage, for the Triangle and Pier 43½ parking, provided that relocation sites meet the needs of the existing restaurants and Wharf businesses that depend on adjacent parking.
- With the existing long term lessee, explore the feasibility of replacing self parking at Pier 43½ with a smaller valet parking area in order to make more open space available.
- If the Triangle parking is replaced, pursue the possibility of a large open space to accommodate day-to-day Wharf activities as well as special festival or City celebrations.
- Explore the feasibility of replacing retail buildings on the Triangle with a "Market Hall" containing food and flower stalls, indoor and outdoor cafes and other compatible uses.
- Consider expansion of commercial uses at Pier 43½ or the Triangle, only if part of a mixed-use project attracting local visitors such as the market hall, in exchange for public access and open space improvements, reduction or relocation of existing parking, or other significant public benefits.
- Any expansion of building space at Pier 43½ should not block view corridors.

Standards for Maritime Uses

Aquatic Park Docks (Portion of South End Rowing Club & Dolphin Club)

Development Standards:

- Continue recreational boating and water activities, including aquatic activities, swimming, rowing, running, and other sports.
- Prohibit exclusive memberships by allowing pay-as-you-go use of the facilities.
- Require compliance with all public access requirements imposed either by the Department of Parks and Recreation (primary jurisdiction over Aquatic Park) or by BCDC.
- Retain availability of the water around the docks for non-members without charge and without time restrictions.
- Study alternatives for providing more parking for swim club patrons.
- Encourage additional public access in the area.

Hyde Street Pier

Development Standards:

- Operate existing pier primarily for a Maritime Historical Park and support functions, including concessions, excursions, related special events and maritime educational programs.
- Use and placement of historic ships should not interfere with the development of the proposed Hyde Street Harbor or other operations of the fishing industry.
- Minimize impacts of exhibits and ships on views of the Golden Gate Bridge.
- Encourage additional free public access in the area.

Hyde Street Harbor (future)

Development Standards:

- Complete the Hyde Street Harbor as soon as possible.
- Provide gear storage, loading and unloading areas, and short and long term parking as close to the new berths as possible.
- Operate and manage the Harbor to ensure the highest feasible water quality in the Harbor.
- Allow recreational boats to use the Harbor only during times when the Harbor is not fully utilized by the fishing industry.
- Provide public access where it would not conflict with fishing operations.
- Explore the feasibility of a direct connection between the Hyde Street Pier and Fish Alley.

Inner and Outer Lagoons

Development Standards:

- Without detracting from the historic character of the lagoons, retain and improve berthing for a mix of active fishing, historic Monterey, and other boats to ensure that a variety of boats are available throughout the day for public viewing.
- Provide a floating dock for loading and unloading gear and people, particularly for the charter sport fishing businesses.
- Allow an informational kiosk to inform the public about the availability of sportfishing and charter tours at this location, provided that it does not interfere with the flow of pedestrians.

Pier 45 - West Side

Development Standards:

- Give priority to fish handling businesses.

- Allow a retail fish market or similar business at the south end of Shed B.

- Allow fishing and maritime support facilities, maritime offices, or activities related to the Fisheries Center at the north end of Shed D, that is not accessible to large trucks required for fish handling operations.

- Pursue the feasibility of a cantilevered truck turnaround at the north end of the Pier to facilitate semi-truck turnarounds.

- Control public access in the active fish unloading area on the westside of the Pier so that it doesn't interfere with fish handling.

Piers 41½ and 43½ (waterside)

Development Standards:

- Continue existing, and accommodate new and expanded, ferry, excursion and water-taxi operations.

- Accommodate the possible need for additional ferry berthing.

- Study the feasibility of a landing facility for ferries, excursions and water-taxis, available to all service providers.

- Provide queuing areas for ferry and excursion patrons that are protected from inclement weather and that have the least possible impact on pedestrian circulation.

Pier 39 (waterside)

Development Standards:

- Continue to use area primarily for recreational boating and water use and ferry & excursion operations.

- Allow for future possible water-taxi stop to serve visitors to Pier 39.

Other Open Spaces and Public Access

Pier 43 (Ferry Arch)

Development Standards:

- Complete improvements planned in conjunction with the Pier 39 Underwater World project to provide safe public access and open space by the restored Ferry Arch.
- Remove the deteriorated portion of Pier 43 that extends into the Bay, north of the Ferry Arch.
- Provide pedestrian connections to neighboring public access areas, while making the Ferry Arch the focal point of the area.
- Allow an accessory retail (restaurant) and visitor information use to serve the users of the new open space.
- Consider feasibility of a landing facility for ferries, excursions and water-taxis, available to all service providers.

Pier 41

Development Standards:

- Continue use as a public access pier atop the Pier 39 West Marina breakwater.
- Maintain the fishing platform at the Bay end of Pier 41.

Pier 39 Open Space (extending from Pier 41 to Pier 35, along The Embarcadero).

- Continue to provide quality, well-landscaped open space.
- Improve views of the marina and the Bay, where feasible.

THE FERRY BUILDING WATERFRONT

The Ferry Building Waterfront extends from the Pier 5 bulkhead building on the north, to the site of the future Rincon Park, near Pier 22½ at the south end of Embarcadero promenade and includes Seawall Lot 351 on the westside of The Embarcadero across from Pier 3. The focal point of this area is the historic Ferry Building.

Objectives for the Ferry Building Waterfront

Preserve and restore historic structures in the Ferry Building Waterfront, both to recall the area's historic use and to accommodate new uses.

The Ferry Building area offers a prime opportunity for preserving the historic context of the waterfront, while also providing for new and revitalized activities along the shore. The Ferry Building is a City landmark that also is listed on the National Register of Historic Places. Originally named the Union Depot and Ferry House, this stately structure, with its clock tower situated at the terminus of the Market Street corridor, marks an historic entry and departure point for the City. Although once a bustling ferry terminal, the building currently is used mostly for offices, including the Port's administrative headquarters, as well as many businesses active in international trade.

In spite of the fact that the Ferry Building is the centerpiece of the waterfront and a key orientation point for the downtown, it currently lacks the sense of place and purpose that should be accorded a building of such historic importance. In the late 1950s and early 1960s, both the north and south wings of the Building were altered. These "modernization" efforts, widely considered an affront to a once grand example of Neo-Classical Beaux Arts architecture, included the addition of a third floor inside portions of the Building and reconfiguration of the Building's ground floor uses in such a way as to confound, if not actually discourage, the public from entering or walking around the building. The impact of these significant modifications became more evident to the general public after The Embarcadero Freeway was demolished in 1992.

The Ferry Building Waterfront also hosts other significant architectural structures. To the south of the Ferry Building, the former U.S. Agriculture Building is used for offices. The Agriculture Building is a modified palazzo building with Renaissance ornamentation and, like the Ferry Building, is listed on the National Register of Historic Places. Originally the Building contained a public lobby with offices above. The interior of the Building has been modified by numerous tenants and little remains today of the original elements or materials, except for the staircase at The Embarcadero entrance.

The bulkhead structures of Piers 1 through 5 are visually connected with the Ferry Building, adding to the strong architectural and historic character of this area. These bulkhead buildings, which are highly rated by the Foundation for San Francisco's Architectural Heritage for their architectural and historic significance, were also previously cut off from the City by The Embarcadero Freeway. These buildings will become even more prominent as a result of the roadway and open space improvements planned for the area.

The Embarcadero Freeway demolition has focused public attention on the Ferry Building Waterfront, recalling a time when the area served as the primary gateway to the City. The challenge today is to return these functions to the area and to introduce new activities, while also restoring the area's historic dignity and maritime character. The restoration and adaptive reuse of the Ferry Building and the surrounding buildings and piers are critical to the reunification of the City with its waterfront, and to reestablishing the Building's civic importance. The Ferry Building restoration should continue to be one of the highest priorities of the Port Commission.

Provide maritime facilities for ferry and excursion boats, recreational boats, historic ships, and ceremonial berthing.

In the early 1980's, all the finger piers between the Ferry Building and Pier 22½ were removed and replaced with the Embarcadero Promenade, a public accessway that provides welcome relief from the urban congestion of downtown. Except for ferry operations at the Ferry Building, and historic ship docking at Pier 3, maritime activities are no longer significant in this area. As an integral part of revitalizing the Ferry Building Waterfront, new maritime activities should be developed for the public to enjoy.

In particular, because of its close proximity to transit and downtown, this area is a prime location for: 1) expansion of ferry operations to meet the Metropolitan Transportation Commission's projections for increased ferry ridership in the Bay area; 2) excursion boat operations that require high visibility and close proximity to downtown; 3) historic ships and ceremonial ships to draw people to the waterfront; and 4) recreational boat moorings to permit boaters to stop and enjoy downtown San Francisco for the day. Additionally, this area offers a prime opportunity to accommodate new modes of waterborne transit, including water taxis and airport hovercrafts, because of its proximity to the downtown commuter, business and tourist centers.

Provide a mix of uses that emphasizes the civic importance of the area, generates waterfront activity and serves San Franciscans and visitors alike.

The Ferry Building Waterfront abuts downtown San Francisco's diverse mix of urban activities. Although this downtown area is dominated by highrise buildings, the edge closest to the water is characterized by smaller scale commercial structures, as well as large open spaces such as Justin Herman Plaza. The northern part of the area is adjacent to Golden Gateway, a waterfront neighborhood containing low to high-rise residential and commercial development. The southern part of the area is adjacent to the emerging Rincon Hill and Rincon Point mixed commercial and residential districts. In addition to the maritime activities discussed above, non-maritime land uses occurring on Port property include offices, restaurants, retail, parking, public access and a service station. New open spaces and ancillary commercial developments have been proposed for the mostly non-Port properties immediately across The Embarcadero that were vacated through demolition of The Embarcadero Freeway.

Because of its central and very visible location, the diversity of adjacent uses, and the significant

transportation and open space improvements planned or underway for the broader area, the Ferry Building Waterfront should host an exciting array of maritime, commercial, civic, open space, recreation and other waterfront activities. New uses should draw people into the Ferry Building, so that it becomes a more inviting, lively and interesting place to be - a destination in its own right. The area should provide both a place for downtown workers to enjoy lunchtime or after hours activities, as well as a destination for other San Franciscans and visitors who might not ordinarily come to the area during the course of their daily routine. New uses should generate activity during evenings and weekends to complement the weekday office uses in the adjacent downtown.

Extend the PortWalk through the area, providing more convenient, direct and aesthetically pleasing public access connections to open space areas and the Bay.

Currently, there are many public access opportunities in this area, including the Embarcadero Promenade, public access at Pier 3, the Ferry Plaza and Justin Herman Plaza. However, because these areas are not particularly well connected to the City and to each other, they are not well used. Ferry Plaza, located on the east side of the Ferry Building, provides a mix of activities to serve the public, including the Golden Gate Ferry Terminal, Gabbiano's restaurant, public accessways on top of the Golden Gate Terminal and along the south and east sides of the Plaza, and open space in the center of the Plaza. Unfortunately, pedestrian flow between The Embarcadero and the Plaza is impeded by parking along the southside of the Ferry Building, and the only access through the Building itself is a dark, seven foot wide walkway in the middle of the south wing.

A similar problem exists at Pier 1/2 on the north side of the Building, where parking lies between The Embarcadero and the North Ferry Terminal. Pedestrian access along the Bay between the Ferry Plaza and Pier 1/2 is not continuous, so ferry riders who go to the wrong terminal must return to The Embarcadero to go around to the other side of the Ferry Building, because the public can not walk along the water's edge. The challenge in these areas is to find the proper balance between parking and circulation, public access and open space.

Studies are underway for open space improvements in front of the Ferry Building to extend the open space system on the other side of The Embarcadero in Justin Herman Plaza and the area under the former Clay/Washington Street freeway ramps to the bayside. The goal is to create a grand civic open space that relates to the newly visible Ferry Building and waterfront, which would establish a dramatic element along the PortWalk. New development and improvements along the Ferry Building Waterfront should therefore seek to further enhance the PortWalk with connections with existing open space areas, as well as to new open space at Rincon Park, and new pedestrian improvements that are part of the Waterfront Transportation Projects.

Restore the Ferry Building Waterfront as a major transit center by improving transit access and transfers among water and land transportation modes.

The 1989 Loma Prieta earthquake triggered a dramatic increase in the demand for ferry service

to and from downtown San Francisco. Last year, commuter and recreational passengers made 2.8 million ferry trips, and this number is expected to grow to over 4 million during the next decade. (See Appendix A for more information on ferries). New modes of waterborne transportation, including airport hovercrafts and water taxis are being explored. These trends indicate the need to provide more facilities and services to accommodate waterborne travelers. The Ferry Building Waterfront clearly is the best place to meet this need, a conclusion supported by the Metropolitan Transportation Commission's Regional Ferry Plan, which encourages coordination of ferry schedules to allow inter-ferry transfers at the Ferry Building.

Further increases in ferry ridership also are likely to result from the conversion of Treasure Island from military to civilian use. Although reuse plans for Treasure Island are in their infancy, any major new uses will require creative means of transporting people to the island because of the Bay Bridge's limited capacity to handle more traffic flow.

In combination with nearby BART and MUNI service, the Waterfront Transportation Projects, when completed, also will emphasize the important role this area plays in moving people in and out of the City, and up and down the waterfront. Redevelopment of the Ferry Building and environs should maximize convenience of connections between landside and waterside transportation modes. Every effort should be made to facilitate a direct transit connection between northern and southern waterfront transit lines and, in particular, between the F-Line and the MUNI Metro extension when demand requires and funding permits. Direct, continuous transit lines along The Embarcadero will encourage the public to use transit rather than their cars. On the waterside, ferries and water taxis should connect the Ferry Building with other waterfront locations, including Fisherman's Wharf, Mission Bay and Candlestick Park.

Provide efficiently planned parking and loading facilities to serve new activities in the area.

The expansion of ferry operations and the provision of new means of waterborne transportation combined with increasing roadway congestion will, over time, divert automobile drivers to other modes of transit. Nevertheless, maintaining parking in the area is a key concern for Port tenants, and has presented a stumbling block to past efforts to redevelop the Ferry and Agriculture Buildings.

Since the earthquake and demolition of The Embarcadero Freeway, the amount of off-street parking in the area has been significantly reduced. The economic viability of the Ferry Building and Agriculture Building renovations depends, at a minimum, on limited amounts of short-term parking for tenants and visitors, automobile drop off and pickup areas to serve the transportation and commercial functions of the Ferry Building, loading and unloading areas to serve potential retail functions in the buildings, and transportation staging areas. Loss of parking and loading areas may limit the Port's ability to successfully redevelop the Ferry and Agriculture Buildings, accommodate certain desirable uses like a public market and excursion boats, or successfully develop other properties in the area like Piers 1 and 3.

Currently Pier 1 is used for parking on an interim basis. However, to facilitate the rejuvenation

of the area, it may be beneficial to allow this parking to remain over a longer period of time. Although other parking solutions should be examined, permitting some parking in Pier 1 may prove to be the most practical, effective and aesthetic way to address the parking needs in the area since the Pier building encloses and screens the vehicles from view.

The projected loss of waterfront parking and the need to replace it to serve existing and future Port activities requires a creative solution to rationalize parking in the broader area. This should be an objective of the mid-Embarcadero roadway design process currently underway.

Physically and visually integrate the Ferry Building and environs with their spectacular City and Bay settings.

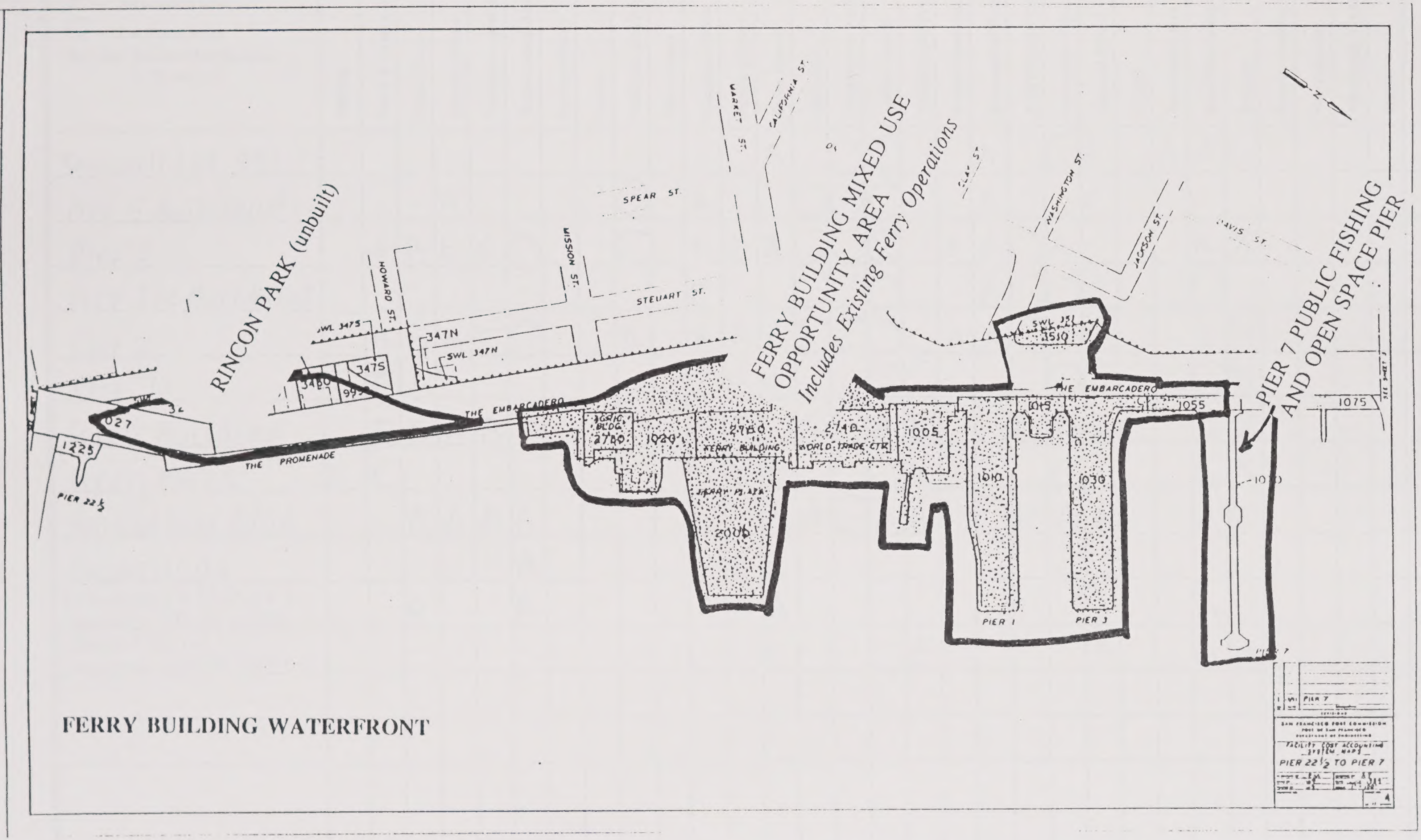
After the Embarcadero Freeway was built, little attention was paid to ensuring that the design of facilities on each side of The Embarcadero were physically or visually connected. In fact, the improvements were designed to face away from the waterfront, to buffer against freeway noise and traffic. At the same time, the public paid little attention to the waterfront facilities because they were not seen from the other side of The Embarcadero. Now that the Freeway is gone, special consideration should be given to urban design features that are in keeping with and enhance the historic maritime character and architectural value of the waterfront facilities, and that reconnect the Ferry Building area to the City. Public views from, through, and around the Ferry Building should provide new opportunities to observe maritime activities and the Bay.

Pursue a mix of public and private resources to achieve an appropriate quality and mix of uses.

In general, San Francisco's downtown is an active, mixed used environment that hosts a range of activities and services for downtown employees and residents. Yet for the most part, Port properties in the area have not enhanced or benefitted from this setting. Demolition of the Embarcadero Freeway and construction of the planned roadway improvements have stimulated public and private sector interest in restoration of this area. The Ferry Building area therefore offers perhaps the best opportunity on the waterfront for a successful public and private partnership to provide new public amenities, jobs and other benefits to the Port, the City and the region. The high costs of historic renovation will require a creative financing approach if the Ferry Building and environs are to offer a large public component that will attract people to the waterfront. In the Ferry Building itself, there should be a mix of public and commercial uses to ensure the market and financial feasibility of this critical renovation project.

Standards for New Development

Ferry Building Mixed Use Opportunity Area: The Ferry Building Opportunity Area extends from Pier 5 to the Agriculture Building and includes Seawall Lot 351, the Pier 5 bulkhead building, Piers 1/2, 1, 1½ and 3, the Ferry Building, the Agriculture Building, and Ferry Plaza. The Opportunity Area also includes the area in front of the Ferry Building, which currently is


RINCON PARK (unbuilt)
FERRY BUILDING MIXED USE OPPORTUNITY AREA
Includes Existing Ferry Operations
PIER 7 PUBLIC FISHING AND OPEN SPACE PIER
MARKET ST.
CALIFORNIA ST.
SPEAR ST.
HOWARD ST.
MISSION ST.
STEUART ST.
CLAY ST.
WASHINGTON ST.
JACKSON ST.
DAVIS ST.
THE EMBARCADERO
THE PROMENADE
FERRY BUILDING
WORLD TRADE CTR.
FERRY PLAZA
AGRIC. BLDG.
PIER 1
PIER 3
PIER 7
PIER 22½
SWL 347S
347N
SWL 347N
347S
3480
999
1027
1225
2780
1020
2750
2740
1005
1015
1055
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1010
1030
2000
SWL 351
1510
N
SAN FRANCISCO PORT COMMISSION
PORT OF SAN FRANCISCO
DEPARTMENT OF ENGINEERING
FACILITY COST ACCOUNTING SYSTEM MAPS
PIER 22½ TO PIER 7
4

FERRY BUILDING WATERFRONT

Acceptable Land Use Summary: Ferry Building Waterfront

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Seawall Lot 351													A		○	○			A		○	A		A	A	E					
Pier 5 Bulkhead				A					○		A			○	○	○			A			E									
Pier 3		A	A	E	E	○			○		E	E	A	○	○	○		A	A	○	A				A	E/I					
Pier 1½ Bulkhead											E			○	○	○			A	○	○	E			○						
Pier 1		A	A	A	E	○			A		A	A	A	○	○	○		A	A	○	A	E			E	E/I					
Pier ½		E	A									E	E			○	○				○				○	E/I					
Ferry Building		E	A	A	A						E	A		A	○	A	E		○	E	A	E			E	X					
Ferry Plaza	E	E										E	E			○	A				E				E	X					
Agriculture Bldg			A	A	A	A					E			A	○	A	A		○	E	A	E			A	X					
Promenade						A						E	E												X						
Rincon Park (future) Seawall Lots 327,348			A			A						A	A												A						
Steuart Street Seawall Lots 347N/347S													E				E					A			A	A					

the subject of a planning effort for a new plaza. The Ferry Building, the focal point of the Opportunity Area, survived both the 1906 and 1989 earthquakes, but sustained damage in the 1989 earthquake. Seismic repairs and upgrades costing more than $4.0 million are currently underway, and are being funded by the Federal Emergency Management Agency (FEMA). Furthermore, the Port has secured approximately $2.1 million to date in federal and state grants to do conceptual design and feasibility studies, complete environmental review and begin final design on renovation of the Building. The Port also has secured $9.2 million for modernization of ferry landing facilities. Because the conceptual design of this important project already is underway, many development standards are provided herein to reflect the comments that have been expressed to date regarding the role the Ferry Building area should play in the revitalization of the waterfront.

General Development Standards for the Opportunity Area

- Carefully locate any recreational boating activities to avoid navigation and operational conflicts with waterborne transportation.

- Promote activities in and around Pier 1 and 3 that enhance, complement and benefit from the existing uses in the area and the transportation-related functions planned for the Ferry Building.

- Require that any commercial recreation facilities will be available to the public. While free facilities are preferred, pay-as-you-go facilities also are permissible.

- Carefully design freight service areas for new uses so that they are compatible with the transportation network.

- Limit accessory parking to that which is necessary to activate the Ferry and Agriculture Buildings and stimulate reuse of Piers 1 and 3 and the bulkhead buildings.

- Any pier parking should be hidden from view, perhaps in or behind structures, and should not interfere with access to or enjoyment of the waterfront.

- Encourage cafes along The Embarcadero to take advantage of afternoon sun on north side of The Embarcadero.

- Consider reconfiguring existing deck areas north and south of the Ferry Building to allow restaurant patrons, pedestrians and passersby to view maritime activities and the Bay.

- The design of new development should respect the character of the Golden Gateway project, the Ferry Building and the mid-Embarcadero open space improvements, once designed.

- The design of new development should minimize the perceived barrier of the new Embarcadero Roadway and encourage a pleasant pedestrian connection between the City and waterfront.

- Determine whether to preserve the Piers 1, 1½, 3 and 5 bulkhead buildings, or to remove one or all of them and/or the small building north of Pier 3 to improve visual and physical access to the waterfront.

- Extend a waterside PortWalk from Pier 1 to the Promenade, where it would not interfere with ferry and excursion operations.

- Provide new uses near Pier 7 to take advantage of and further activate the Pier 7 public access and fishing pier.

- Design and locate the mid-Embarcadero open space to reflect and enhance the grandeur of the Ferry Building as the focal point, and reconnect The Embarcadero with the Market Street Corridor.

- If feasible, design the mid-Embarcadero open space improvements to allow for future undergrounding of The Embarcadero in front of the Ferry Building, if funding becomes available.

Additional Development Standards for the Ferry Building

- Restore the exterior Embarcadero facade with historically accurate building materials.

- Restore the historic grand, sky lighted gallery on the second level as the principal public space, to the extent possible.

- Encourage placement in the Building of historic displays, such as the California Relief Map or original structural elements.

- Create a central, public foyer in the building, that provides dramatic views and connections to the Bay and the ferries.

- Give preference to public uses on the first floor.

- Make activities available at different price levels to encourage full use and enjoyment by all segments of the public.

- Provide protection from inclement weather for ferry riders.

- If possible, uses in the Building should relate to a unique thematic concept such

as maritime activities, world trade and diplomacy, transportation and travel, or San Francisco and California cultural, business or artistic activities.

- Incorporate accessory retail uses to meet the needs of downtown workers, ferry riders and visitors, such as ticket offices, cash machines, travel offices, other personal services, and recreational equipment vendors.
- Allow theme retail and festival uses such as public and fish markets, as well as restaurants and other eating and drinking establishments.
- Avoid conventional shopping center or tourist-oriented retail uses.
- Consider moving the Port's offices to Piers 1 or 3 to make room for revenue-generating uses on the upper floors of the Ferry Building if this helps to support the costs of renovation.
- Consider adding a fourth floor to the Bay side of the building, consistent with earlier historic design guidelines, if necessary to increase revenue to support the expense of historic renovation.
- Determine the feasibility of opening the tower for paid public tours.
- Explore the possibility of obtaining economic value from Seawall Lot 351 by combining it with the adjacent Golden Gateway residential site to provide expanded opportunities for mixed residential and commercial development.

Steuart Street Mixed Use Opportunity Area

The Steuart Street Opportunity Area is comprised of Seawall Lots 347N and 347S on either side of Howard Street, and Steuart Street south of Howard, which will be closed as soon as The Embarcadero Roadway is rerouted around the site of the Rincon Park Open Space. This site will be separated from the Bay by the future Rincon Park and The Embarcadero Roadway and offers an excellent opportunity for revenue-generating commercial uses because that is the primary land use in the area.

Development Standards:

- Future use of the site should relate to adjacent development north of Steuart Street as well as to Rincon Park. Under current discussion with the Redevelopment Agency is the use of the site as open space related to a proposed office development north of Steuart Street. Absent the proposed development, encourage revenue generating commercial uses on this site.
- Design new development on the site so that it does not block view corridors down

Steuart Street.

Standards for Other Open Space and Public Access Areas

Rincon Park

When funding becomes available, Rincon Park will become a new City park in the burgeoning south of Market waterfront area, with breathtaking views of the Bay Bridge and Treasure Island. The Park will be created by realigning The Embarcadero onto Steuart Street between Howard and Harrison Streets as part of the Waterfront Transportation Projects.

The Park site, which will be made up of portions of Seawall Lots 327 and 348, former Beltline Railroad right-of-way and former Folsom Street and Embarcadero right-of-way, is located within the Rincon Point Redevelopment Project Area, and comprises over 4½ acres of Port property.

The South Beach Redevelopment Plan, approved by the Board of Supervisors in 1980, expressly permits a restaurant at Rincon Park. The exact location and type of restaurant have yet to be determined, but the restaurant is expected to be compatible with its waterfront location. The restaurant will provide commercial activity and food service in the park. These activities will generate ground lease rental revenues to partially compensate the Port for the costs associated with conversion of this property into a public park.

Development Standards:

- While a restaurant is the preferred primary retail use for the site, consider other retail opportunities that are equally effective in generating financial support for the Park.
- Design the Park to appeal both to residents and downtown office employees.
- Design the park and restaurant to relate to its waterfront location, enhance the existing Promenade and Ferry Building area and provide views of the Bay Bridge.

THE NORTHEAST WATERFRONT

The northeast waterfront extends from Pier 35 to Pier 7.

Objectives For The Northeast Waterfront

Maximize opportunities for the retention of maritime operations.

The northeast waterfront has undergone great change in the last 25 years, like much of the formerly industrial waterfront north of China Basin. Several of the finger piers which at their peak received a myriad of cruise and break-bulk cargo ships still support maritime functions, but at a much lower intensity. Three piers continue to function exclusively as cargo-related facilities. Piers 27-29 are operated as a newsprint shipping terminal, while Piers 15-17 and 19-23 are used for cargo warehousing and transhipment, and the Port's Foreign Trade Zone. The Port's passenger cruise terminal is located at Pier 35, and Pier 31½ is the site of an excursion boat operation. In addition, the northeast waterfront includes sites for a number of maritime support activities, such as tug and tow boat berthing, and the headquarters of the San Francisco Bar Pilots Association at Pier 9. The maritime ambiance of this area is further reinforced by the striking series of bulkhead buildings on Piers 9, 15, 19, 23, 29, 31, 33 and 35, which provide unique architectural, historic, and maritime character.

In spite of the maritime activities still present in the northeast waterfront, the transformation of lands adjacent to the Port to mixed commercial and residential uses has introduced conditions that, over time, have reduced the viability of the area for cargo shipping and its related support operations. The evolution of the larger area has changed the function of The Embarcadero from an industrial service road accessing the piers, to a major arterial in the City's street system. With construction of the Waterfront Transportation Projects, which will recast The Embarcadero as a beautified urban boulevard with enhanced public transit and other modes of transportation, truck access to the piers will be further hampered.

As the vast majority of cargo-related operations have shifted to the southern waterfront it is likely that the remaining cargo activity in the northeast waterfront will follow suit. However, other maritime activities will continue to thrive in the northeast waterfront, through the expansion and improvement of excursion boats, water taxi operations, recreational boating, berthing of pilot, tugboats and historic ships, and passenger cruises. Unlike cargo operations, these commercial-and recreation-oriented maritime activities are fully compatible with waterside public access improvements, and are thus conducive to opening up the northeast waterfront for enjoyment by all people of the City and State.

Activate this area with an array of uses that establish a daytime and nighttime presence, but which are not primarily tourist-oriented.

New activities in the northeast waterfront should build upon the varied land use context in

the area by extending the vitality of the surrounding districts to the waterfront. The mix of activities should reflect the City's cultural diversity and other attributes that appeal to the local and regional population,thereby providing entertainment and commercial recreation venues that are distinctly different from the more tourist-oriented activities in Fisherman's Wharf.

Existing land uses on Port property, as well as in the larger area beyond the Port, provide a rich context to support new activities along the waterfront. Along The Embarcadero, existing developments on Port seawall lots include the Francisco Bay Office Park between Sansome and Bay Streets (SWLs 315, 316, 317), Fog City Diner at Battery Street (SWL 319), and the landmark Belt Railway Roundhouse office building at Lombard Street (SWL 318). Developments on the other side of the Port jurisdiction line include the Levis Plaza office and retail complex, and many office and design-related businesses in restored historic buildings along Battery and Sansome Street. In addition, the inland area includes established residential enclaves at the foot of Telegraph Hill and in the Golden Gateway mixed-use complex. This area, transformed from its industrial beginnings, is now regarded as a stable and desirable urban location.

The mix of uses found in upland locations highlights the need for people-oriented activities on surplus piers. Because of the formerly industrial focus of the area, most of the piers have not been designed with amenities or features that serve the general public. Currently, the one major public amenity in the area is Pier 7, a recently constructed, award-winning public access and fishing pier that extends 900 feet into the Bay. Further north, a few restaurants and bars such as the Pier 23 Cafe provide limited commercial services to passersby. These auxiliary commercial activities, which have co-existed with neighboring maritime operations, should be expanded wherever possible.

Many of the piers that are not in exclusive cargo-related use should accommodate activities that integrate new public access experiences with existing and expanded maritime operations. These development objectives also apply to the five underutilized seawall lots (SWLs 314, 321, 322-I, 323, 324), which are currently used for surface parking lots and a gas station. If developed in conjunction with adjacent piers, these seawall lots could provide support space and parking for the pier activities. In addition, the seawall lots should provide a smooth transition from inland neighborhood uses to shoreline improvements, making this area a destination that is inviting to local residents.

Protect and enhance the historic maritime character of this area.

New development in the northeast waterfront area should be sensitive to the rich maritime history that is preserved in the Northeast Waterfront Historic District, the ribbon of pier bulkhead buildings along The Embarcadero, and the maritime activities that still take place on many of the piers. This should be accomplished by integrating maritime activities with commercial recreation activities on surplus piers, and requiring building and site designs that balance the need for new activities with the area's historic maritime character.

Fortunately, many of the architecturally rich brick and concrete structures originally built for the maritime and industrial operations that once dominated the area have been renovated for modern office and retail uses, thereby preserving the character of the Historic

District while establishing a strong economic base. Five Port seawall lots are included in the Historic District, of which four are undeveloped. Development of any one of these parcels must therefore include a design that reinforces and enhances the unique character and history embodied in this District.

New development should highlight the location of the area as a gateway to the North Beach and Chinatown neighborhoods to the west, and Fisherman's Wharf to the north.

The northeast waterfront is located at the crossroads between the City's downtown district, North Beach and Chinatown neighborhoods, and Fisherman's Wharf. These areas rely heavily on The Embarcadero as a main point of access by visitors and residents alike, particularly since the demolition of The Embarcadero Freeway. New development along The Embarcadero, particularly near Broadway and Bay Streets, therefore should be designed to provide an orientation point for entrance into these adjacent districts.

Provide new public access amenities that highlight newly created points of interest.

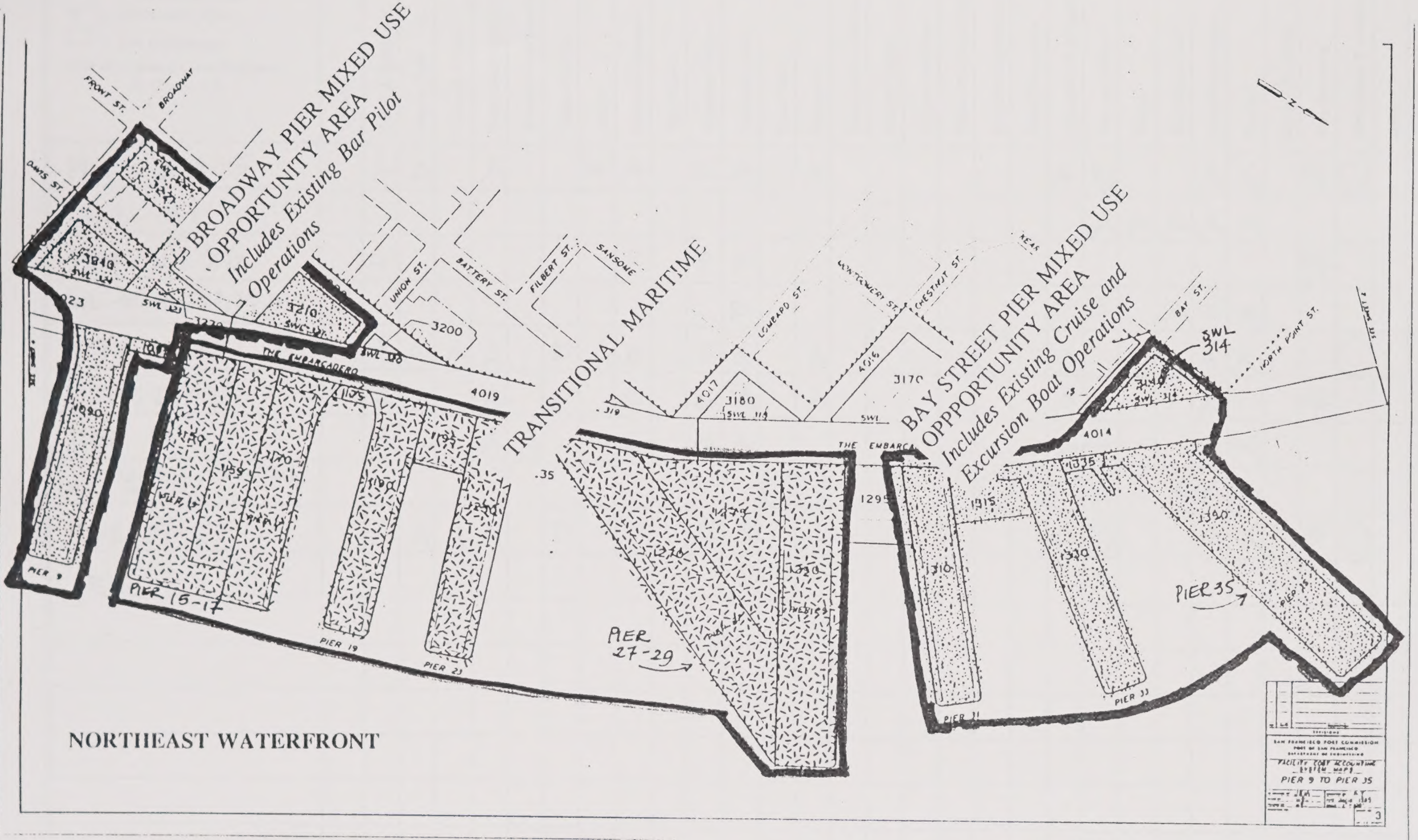
In spite of deteriorating sidewalk conditions and a shortage of waterside public amenities in the area, The Embarcadero has been and continues to be a magnet for bicyclists, skaters, walkers and joggers. While the Waterfront Transportation Projects will provide major aesthetic, transit and pedestrian improvements along the Embarcadero, there is a need to expand public access onto the piers themselves, including places for people to relax and enjoy the views, and experience the sensation of being at the water's edge.

For example a boardwalk -- a PortWalk -- could link the pier perimeters, offering pedestrians the pleasure of strolling leisurely from one activity to another, and connecting with the Waterfront Transportation Projects pedestrian improvements and the Pier 7 open space pier. In so doing, the PortWalk adds a means for active enjoyment of the sights and sounds of the waterfront, without requiring actual interaction with the various entertainment and other activities offered along the way.

Standards For New Development

Bay Street Pier Mixed Use Opportunity Area. The Bay Street Pier Mixed Use Opportunity Area includes Piers 35, 33, 31 and Seawall Lot 314 (Assessor's Block ______), located at the threshold of Fisherman's Wharf. Through careful integration of uses on Seawall Lot 314 and Pier 35, development of this Opportunity Area will establish a clear entry point to one of the most popular visitor destinations in the country.

Pier 35 is currently used as the Port's passenger cruise terminal. Although cruise passengers have long viewed San Francisco as one of the most beloved port cities in the world, recent trends limit the number of cruise calls to an average of 38 per year (see Appendix A). Nevertheless, industry officials consider this Opportunity Area to be a highly desirable and convenient location for the limited amount of cruise activity occurring in San Francisco. On the other hand, Pier 35 lacks many amenities provided in modern cruise


FRONT ST.
BROADWAY
DAVIS ST.
BROADWAY PIER MIXED USE OPPPORTUNITY AREA
Includes Existing Bar Pilot Operations
3840
SWL
3210
3200
1023
SWL 321
3220
THE EMBARCADERO
SWL 320
UNION ST.
BATTERY ST.
FILBERT ST.
SANSOME
TRANSITIONAL MARITIME
LOMBARD ST.
MONTGOMERY ST.
CHESTNUT ST.
KEAS
BAY ST.
NORTH POINT ST.
4019
4017
4016
3180
SWL 115
3170
SWL
BAY STREET PIER MIXED USE OPPPORTUNITY AREA
Includes Existing Cruise and Excursion Boat Operations
SWL 314
3140
4014
1090
1150
1159
1170
1175
1180
1195
1250
.35
1274
1270
1320
1295
1315
1335
1310
1330
1390
PIER 9
PIER 15-17
PIER 19
PIER 23
PIER 27-29
PIER 31
PIER 33
PIER 35
SAN FRANCISCO PORT COMMISSION
PORT OF SAN FRANCISCO
DEPARTMENT OF ENGINEERING
FACILITY COST ACCOUNTING SYSTEM MAPS
PIER 9 TO PIER 35
3

NORTHEAST WATERFRONT

ACCEPTABLE LAND USE SUMMARY: NORTHEAST WATERFRONT

NOTE KEY:

A = Acceptable Use
E = Existing Acceptable Use
E/I = Existing Use/May Continue As Interim Use
X = Accessory Use
○ = For Discussion
See also Interim Use Policies in Chapter 3

	Fishing	Ferry & Excursion	Water Taxi	Historic Ships	Temporary and Ceremonial Berthing	Recreational Boating & Water Use	Cargo-Related	Cruise	Maritime Support	Ship Repair	Maritime Office	Public Access	Open Space	Museums	Community Facilities	Visitor Center	Transit Facilities	Public Academic Institution	Commercial Recreation	Artist/Designers	Assembly & Entertainment	General Office	Hotels	Residential Use	Retail/Restaurants	Parking	Sports Facilities	Warehousing	Wholesale Trade/Promotion Center	Other:	Other:
PIERS 33&35		A	A		A			E	A		E	A		A							A	E/I			A	X		E/I	○		
SWL 314																						A	A	A	A	A					
PIER 31 & 31½		E							P		P	P																E/I			
SWL 315, 316, 317, 318, 319												E										E		A	E	A					
PIERS 27-29		A	A	A	A		E	A	E		E	A		A					○		A				A	X			○		
PIERS 19-23		A	A		A		E		E		E	A		A							A				A			E/I			
PIER 9		A	A		A	A			E		E	A									A	E/I			A	X					
SWL 321, 322, 323, 324, 322-I													○	○					○	○	○	A	A	A	A	A					
PIER 15-17		A	A	A	A		E		E		E	A		A							A	E/I			A	X		E	○		
PIER 7												A	A												X						

terminals, and because of its physical constraints passengers and ships cannot be efficiently served. Like an airport, cruise terminals should provide separate areas to serve

passengers, and prepare the ships. The long and narrow shape of Pier 35 does not provide enough space to permit this separation of activities.

If San Francisco were to capture more cruise business in the future, a modern terminal facility could be developed by combining Piers 35 and 33, which would likely require some new fill between the piers. In combination with other attractions, such as a public events facility, these piers could be converted to uses that establish a visually exciting gathering place that includes a PortWalk public access feature extending throughout the complex.

Development on Seawall Lot 314 should be a counterpart to improvements in Piers 35 and 33. A small landside hotel would, for example, complement a cruise terminal or public events facility. Successfully designed and executed, the combination of these activities framing The Embarcadero would also provide a fitting entrance to Fisherman's Wharf.

If Pier 33 is not developed as part of a cruise terminal, or if Pier 35 ceases to be operated as a cruise terminal, these piers should still be locations for entertainment and other assembly activities, such as a conference center. In addition, other maritime activities such as the Hornblower Dining Yachts excursion boat terminal at Pier 31½ should be retained.

Pier 33 currently operates primarily as a warehouse, with maritime and general offices in the bulkhead building. In recent years, a number of fish processing businesses have also occupied this facility. Like Pier 33, Pier 31 is currently being used as a warehouse facility. These warehouses are valuable to the Port, in light of the steady market demand that exists for storage facilities. As such, Warehousing should therefore be permitted as an interim use on these two sites. The long term future use of Pier 31 will be influenced by any changes in the cargo shipping operations on adjacent piers.

Development Standards:

- If existing cruise terminal operations remain at Pier 35, improve facilities where feasible, by upgrading the decor of the terminal, and providing elevators, public access, and bon voyage areas.
- Promote shared uses in the cruise terminal that highlight the terminal's function as a gathering place for people and maintain year-round activity even when ships are not in port.
- If Pier 35 ceases to be used as a cruise terminal, permit entertainment and assembly activities that foster public enjoyment in the area.
- Any new cruise terminal, whether on Piers 33 and 35 or another site should include the following features:

a) Two berths

b) Separate areas that are sufficient in size to serve ships and passengers

c) Major public access features, including a bon voyage area

d) Sufficient areas for taxi, bus and car drop-off and pick-up areas

e) Retail, exhibits, and other attractions to complement the cruise operations

f) Parking and other transportation programs to minimize traffic congestion in the area when passengers are embarking and disembarking

- Promote active, publicly-oriented uses and development design for Pier 35 and Seawall Lot 314 that provide a fitting gateway to Fisherman's Wharf.
- Maintain Bay Street as a major view corridor.
- Preserve the Piers 31, 33, and 35 bulkhead buildings, if feasible.
- Promote excursion boats, water taxi, historic and ceremonial ships berthing and other maritime activities.
- Permit warehousing on Pier 33 as an interim use.
- Provide flexibility by allowing interim uses on Pier 31 which, for the foreseeable future, is most likely to operate as a support facility rather than as a primary center for maritime industry or non-maritime activities.

Broadway Pier Mixed Use Opportunity Area. The Broadway Pier Mixed Use Opportunity Area includes Pier 9, Seawall Lots 321, 322-I, 323, and 324 (Assessor's Block ___________________, respectively). The seawall lots, which are currently used for surface parking lots, are among the most valuable of all the Port's real estate assets, because of their prime location adjacent to downtown, the Pier 7 public access and fishing pier, and the Golden Gateway residential neighborhood.

The mix of residential, office and small-scale retail activities found in upland areas suggests a broad range of use opportunities for the seawall lots in this Opportunity Area. In addition, Pier 7 provides a tremendous public open space amenity and focal point that will further enhance the character of new development in this Opportunity Area. With the demolition of The Embarcadero Freeway along Broadway, the area is ready for the introduction of new commercial and waterside activities that are visually and physically integrated with the Golden Gateway neighborhood, and development of these seawall lots will provide the critical link.

For example, the western portion of Pier 9 would be an ideal location for a sailing center, where sailing lessons, boating services, boat rentals and transient boat berthing and sailing events could take place in full view of onlookers strolling along The Embarcadero, Pier 7, or on Pier 9 itself. A sailing center also would be compatible with the San Francisco Bar Pilots Association, headquartered on the eastern portion of the pier. Expansion of public-oriented waterside activities will also create a more desirable setting for new commercial or residential development on adjacent inland property, particularly Seawall Lots 323 and 324. These parcels are pivotal sites for weaving the waterfront into the broader City context.

To a large extent, development of Seawall Lot 321 will depend on the future of the Pier 15-17 cargo warehouse, a Transitional Maritime Site located immediately across The Embarcadero. Similar to Seawall Lots 323 and 324, Seawall Lot 321 is a key site for infill commercial and residential development that would extend City life out to The Embarcadero.

The seawall lots in this Opportunity Area are included in the Northeast Waterfront Historic District. The design of new development therefore must respect and enhance the historic and architectural character of adjacent development.

Development Standards:

- Design new developments to focus on and further enhance the Pier 7 public access and fishing pier.
- Design new seawall lot developments in a manner that respects the rich architecture in the Northeast Waterfront Historic District.
- Include design features in any new commercial or residential development on Seawall Lots 323 and 324 that highlight the intersection of Broadway and The Embarcadero as an entrance to Chinatown and North Beach, and as an orientation point along the waterfront.
- Permit publicly-oriented recreation and entertainment activities on Pier 9 that are compatible with the San Francisco Bar Pilots Association administrative headquarters, water taxi operations, and berthing of pilot, tug and tow, and ferry and excursion boat vessels.
- Give priority to cargo support uses on Piers 15-17 for as long as necessary. Permit publicly-oriented commercial maritime and non-maritime uses only if the facility is declared surplus to the Port's cargo operations, or if suitable relocation sites are identified.
- Maintain and enhance the views of the waterfront along Broadway.

- Carefully design transportation access to seawall lot developments from Broadway and The Embarcadero, to minimize congestion on these major arterial streets.

Transitional Maritime Facilities: Piers 15-17, 19-23, 27-29. These piers are designated as Transitional Maritime Facilities, in recognition of the trend toward consolidating cargo operations in the southern waterfront. However, cargo-related operations at these facilities should be allowed to remain as long as the Port determines them to be economically and operationally viable.

In the event that these facilities are no longer required exclusively for maritime operations, reuse of the facilities should include a mix of maritime and commercial activities that respond to the goals stated for the northeast waterfront. Because the uses on these facilities will extend for a combined 2,400 feet along The Embarcadero, they will heavily impact the overall character of the area. This influence is particularly noteworthy for Piers 15-17, which are adjacent to four of the Port's vacant seawall lots.

In particular, Piers 27-29 and 15-17 provide key opportunities for publicly-oriented activities due to the large area of each facility. Either site could be a location for a public market, or family-oriented entertainment facility, which could include educational and cultural themes that distinguish this attraction from others that are geared toward tourists.

Piers 27-29 also could provide a desirable site for a modern cruise terminal. The site is large enough to meet the operational requirements of a new terminal, and to provide for other publicly-oriented commercial activities that will maintain a lively presence in the area when ships are not in port.

Development Standards:

- Operate Piers 15-17 as a cargo-support warehouse facility as long as necessary, unless it is possible to relocate this operation to alternate upland locations, or maritime sites in the southern waterfront.

- Operate Piers 19-23 as a duty-free Foreign Trade Zone warehouse serving the Port's cargo shipping and cruise businesses as long as necessary, unless it is possible to relocate it to alternate upland sites, and/or consolidate some of this activity with the Port's cruise terminal operations.

- Continue tug and tow berthing and repair operations on Piers 15-17 or other piers in the northeast waterfront as long as possible and practical.

- Permit accessory non-maritime commercial uses or community facilities in buildings fronting on The Embarcadero, if the space is not needed for maritime-related operations,

- If the Transitional Maritime sites are no longer necessary for cargo related uses, pursue a mix of activities that achieve the following:

  a) Provide outlets for family-oriented entertainment, incorporating cultural, educational or other themes that appeal particularly to residents of the City and Bay Area.

  b) Include maritime activities such as historic ships, excursion boats, or cruise operations as an integral part of the mix of uses, to the maximum feasible extent.

  c) Arrange and design uses on the piers to maximize public appreciation and enjoyment of the waterfront setting by offering new viewing opportunities, promoting waterborne transportation services and including an integrated public access program.

  d) Provide varied public access improvements such as a PortWalk which organizes circulation on the pier; provides access along the pier perimeter to the maximum possible extent; incorporates plazas in which people can congregate; and includes landscaping and other treatments that enhance the aesthetic quality of public access features.

- Plan new uses on these piers with an understanding of how they will relate with new development on adjacent seawall lots. If feasible, develop urban design guidelines for the area including Piers 9, 15-17, 19-23, 27-29, and Seawall Lots 321, 323, 324, prior to pursuing individual developments.

- Ensure that the exterior architectural and design aspects of new pier activities is sensitive to and enhances the rich historic industrial maritime character of the adjacent Northeast Waterfront Historic District.

Other Open Spaces and Public Access Areas. Pier 7

Development Standards:

- Provide improvements, such as public information kiosks, nearby public restrooms, and sales of refreshments from a limited number of pushcarts that increase active use and enjoyment of this charming waterfront open space resource.

SOUTH BEACH/CHINA BASIN WATERFRONT

The South Beach/China Basin Waterfront extends from Pier 22½, just north of the Bay Bridge, to Mariposa Street, south of China Basin.

OBJECTIVES FOR THE SOUTH BEACH/CHINA BASIN WATERFRONT

Preserve and rationalize existing industrial maritime activities in the area.

Historically the South Beach/China Basin Waterfront was dominated by maritime and industrial uses and railroad terminals. At one time, break-bulk cargo was handled on 17 finger piers. When container cargo shipping transformed the shipping industry, however, these break-bulk finger piers became obsolete for most maritime commerce. (See App. ___)

Over the past 20 years, most of the pier facilities have deteriorated, and three piers (Piers 24, 34, and 64) have been condemned. However, several of these piers still host industrial maritime activities on a regular basis: 1) Pier 22½ is occupied by Fire Engine Station #9, where the Fireboat Phoenix is docked; 2) portions of Piers 26 and 38 are used by maritime support services divers and underwater construction services and emergency spill cleaning services; 3) Pier 46B is the location of the Port maintenance operations, as well as berthing and service area for tug and tow vessels; Pier 48 is a cargo warehouse and maintenance facility for ferry boats 5) Pier 50 is a ship repair facility and cargo warehouse for coffee; and 6) Pier 54 also is a maritime support facility providing tug and tow services as well as seasonal fishing operations. In addition, portions of Pier 28 are temporarily used for fish handling operations, pending completion of the Pier 45 Earthquake Repair Project in Fisherman's Wharf in 1995, and Piers 30-32 is a key temporary and layover berth facility.

In spite of the general decline of the industrial maritime industry in the area, these remaining operations continue to provide important services to maritime activities in San Francisco and the region. Since most of the maritime operations north of China Basin do not conflict with the emerging residential and commercial uses in South Beach and Rincon Hill, they should be retained. By consolidating these activities in a rational manner, however, and thus utilizing facilities more efficiently, these maritime operations will command greater prominence and enhance neighborhood character by providing visual points of interest that reflect the area's history.

South of China Basin, Piers 48, 50 and 54 will continue to function as important maritime facilities. This is reflected in the *Mission Bay Plan*, which designates approximately six acres adjacent to Piers 48 and 50 as backland for cargo or other maritime operations. The backland area also provides a buffer zone to separate the maritime activities from the open space, residential and commercial uses that will eventually be developed in Mission Bay.

Preserve and Improve Existing Maritime Uses that provide focal points for public enjoyment of commercial - and recreation-oriented maritime activities.

The South Beach/China Basin area currently includes two waterfront recreation areas. One is the South Beach Harbor at Pier 40, a 700 berth marina for recreational boaters built in _____ ____ by the San Francisco Redevelopment Agency. Construction of the marina, which required the demolition of former Piers 42, 44 and 46A, has stimulated the conversion of the broader area to a mixed-use residential neighborhood. The Harbor is therefore vital to the neighborhood, as well as the regional boating community.

The other recreational area is the Port's shoreline property east of Terry Francois Boulevard (formerly China Basin Street) which was not included in the *Mission Bay Plan.* This stretch of land, extending south of Piers 48 and 50 to the San Francisco Boatworks at Mariposa Street, includes maritime support operations at Pier 54, a public boat launch adjacent to Pier 52, and Agua Vista Park towards its southern end. Most of the area, except Pier 54, is used by recreational boaters and water enthusiasts. Much of this boating activity is centered at the public boat launch near Pier 52, which also is the location for the Bay View and Mariposa boat clubs. In spite of a high demand for low-cost access to the Bay, this boat launch is the only one in San Francisco, and it is in a state of disrepair that has greatly limited its use. The City recently obtained a $300,000 grant to repair this facility. In addition, further improvements such as boating services and supplies, bait shop and convenience food and other services should be developed to maximize public enjoyment of this facility.

Promote activities and public access to make the waterfront inviting and safe, and improve the living environment of the new and emerging Rincon Hill, South Beach and Mission Bay neighborhoods.

Although the piers have changed little, the adjacent uplands (including two Port sites) are being dramatically transformed. Most visible is the development of the South Beach neighborhood by the San Francisco Redevelopment Agency. This redevelopment effort, which is nearing completion, will ultimately include **2000(?)** residential units, with accessory retail and commercial services, and ______ acres of open space in addition to the South of Beach Harbor marina. Three Port parcels included in this project area have been developed for affordable housing: Delancey Street developed a rehabilitation center on Seawall Lots 331 and 332, and Bridge Housing developed low and moderate income family units on Seawall Lot 333 in the Steam Boat Point Apartments.

In 1984, the Redevelopment Agency entered into a master lease with the Port of San Francisco to incorporate the Port's seawall lots and Piers 40, 42, 44 and 46A for South Beach Harbor into the Redevelopment project. In addition, the Redevelopment Agency has an option to lease Seawall lots 335 and part of 336 to develop the proposed South Beach Park. Upon completion of the full redevelopment project, the improved properties will revert back to Port control.

The redevelopment of South Beach has spurred additional residential and commercial development on privately owned parcels in the Rincon Hill area to the north. The renovated Hills Plaza office and residential complex, and Portside condominiums are the newest

improvements, both of which offer breathtaking views of the Bay and the Bay Bridge. The Portside developer also proposes to lease Seawall lot 329, adjacent to the project, which will be landscaped and improved as an outdoor seating area for a cafe, and a publicly accessible open space.

The other major land use change upland of the Port is the development of Mission Bay. Under an agreement between the City, the Port and Catellus Development Corporation, this 300+ acre site will be converted over 25 years to a new mixed-use waterfront neighborhood. The plans entails 8,500 residential units, retail and light industrial activities, hotel and 67 acres of open space located south of China Basin Channel. Approximately 4 million square feet of new general offices will be concentrated north of China Basin Channel, next to the existing China Basin office complex. Approximately 20 acres of Mission Bay's shoreline parks and open space will be located on Port property.

With the introduction of a significant new residential population in the South Beach/China Basin area, public attention is now focused on improving the piers and shoreline. Residents and employees in the area should be able to enjoy the benefits of living and working along the waterfront in an environment that is safe and inviting. The deteriorated condition of the piers and general lack of activity do not foster that feeling of security and, in fact, tend to create a physical and aesthetic barrier to public enjoyment of the waterfront. As piers are upgraded, new activities and accompanying public access improvements should welcome people to the waterside, and complement the developments occurring inland.

Take advantage of the areas proximity to downtown San Francisco by providing attractions for the general public, while respecting the needs of adjacent residents.

Collectively, the stunning views of the Bay Bridge, proximity to downtown, and emerging new residential and commercial neighborhoods provide a powerful catalyst for revitalization of the numerous waterfront facilities in this area. This waterfront revitalization will be further stimulated by the pedestrian, roadway and transit improvement constructed as part of the Waterfront Transportation Projects. The MUNI Metro Extension will connect this area to downtown, as well as increase opportunities to extend public transit further into the southeast sector of the City.

In recent years, the Port has attempted two different mixed-use developments in this area. The Sailing Center Project, proposed for the Rincon Piers (Piers 24, 26 and Seawall Lot 328) included a 100 berth marina, a hotel, retail activities, public assembly facilities and significant public access areas designed for hosting international sailboat races and exhibitions. Unlike the South Beach Harbor, which is a permanent docking facility for private vessels, the Sailing Center marina was proposed as a space for sailing events intended to attract throngs of spectators and water sport enthusiasts to the Bay. Design work for the project was underway when

Proposition H was passed, banning hotels on piers. Without the hotel, the project had no means for financing the marina and public amenities and was therefore abandoned.

The Scandinavia Center proposal for the Bryant Street Pier area (Pier 30-32 and Seawall Lot 330) included a new cruise terminal, a hotel and exhibition hall, specialty retail activities and extensively landscaped public access improvements. This project, which was revised to conform to Proposition H by relocating the hotel from the pier to the seawall lot, ultimately failed for lack of financing during the recent economic recession.

While these projects were not built, the project proposals illustrate the attractiveness of this area for significant new mixed-use projects that include exciting new maritime activities for the enjoyment of the City and region. However, the potential for new activities on Port property that have city-wide and regional appeal must be balanced with the needs of the emerging inland resident population. Development of the seawall lots will play a key role in providing a transition zone between waterside attractions and neighborhood activities. The Port should maintain open communication with local residents and businesses to create development opportunities that also incorporate neighborhood serving features.

Create an integrated series of public access improvements that extend a shoreline Port Walk through the area, and provide a unifying pedestrian connection between South Beach and Mission Bay at China Basin Channel.

New mixed-use developments on Port property should include public access features that connect with and expand the system of pedestrian improvements and open spaces that are under construction or planned in the area. Once the Waterfront Transportation Projects are completed, and the Rincon Hill and South Beach neighborhoods become firmly established, extension of the public access over the water on the piers should follow. There are many public access features that are already in the area: the proposed Rincon Park to the north, the South Beach Harbor and public fishing pier at the mouth of China Basin Channel, the landmark Lefty O'Doul Bridge over the Channel at Third Street, and the planned Mission Bay shoreline parks and recreational boating activities south of the Channel. New mixed-use projects on the piers should provide a PortWalk that creates a meandering shoreline path, incorporating existing and new public access features. Severely deteriorated or condemned piers should also be removed. The resulting improvements in shoreline appearance will complete the transformation of the area to a new urban neighborhood.

Establish high standards in the design of new development that give rise to a new architectural identity for the shoreline north of China Basin Channel.

The deteriorated state of many of the pier facilities in the area combined with the haphazard mix of building styles embodied in the remaining sheds give rise to new opportunities for a new architectural identity to complement the South Beach neighborhood improvements. While the

Pier 26, 28 and 38 bulkhead buildings have been recognized by the Foundation for San Francisco's Architectural Heritage as notable historic and architectural resources, there is a need to re-establish an architectural presence along the rest of the shoreline. Efforts should be made to adapt the historic bulkhead buildings into new pier uses, if feasible, and complement them with high quality design in new structures on other piers.

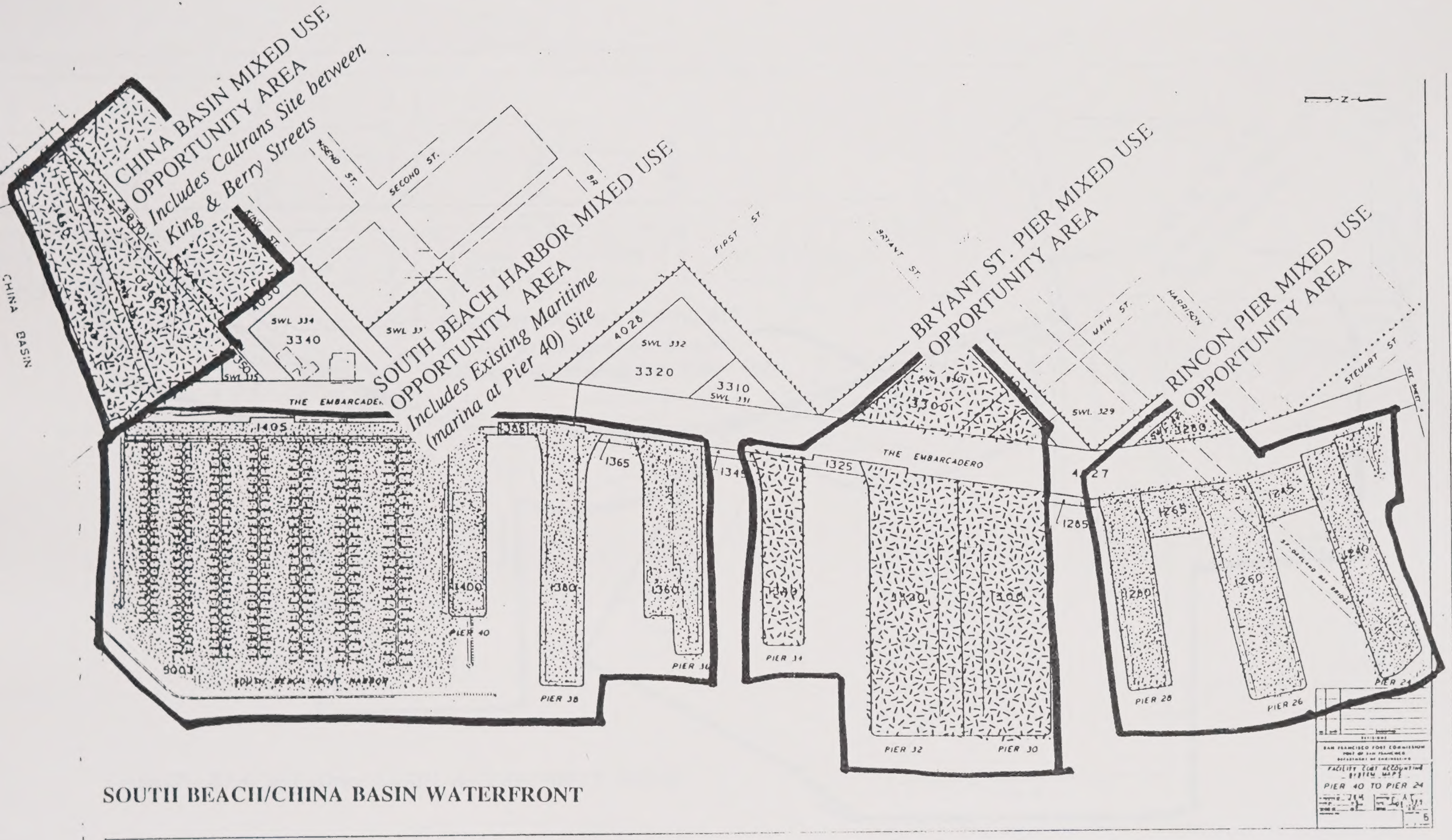
LAND USE STANDARDS FOR NEW DEVELOPMENT

The Rincon Pier Mixed Use Opportunity Area

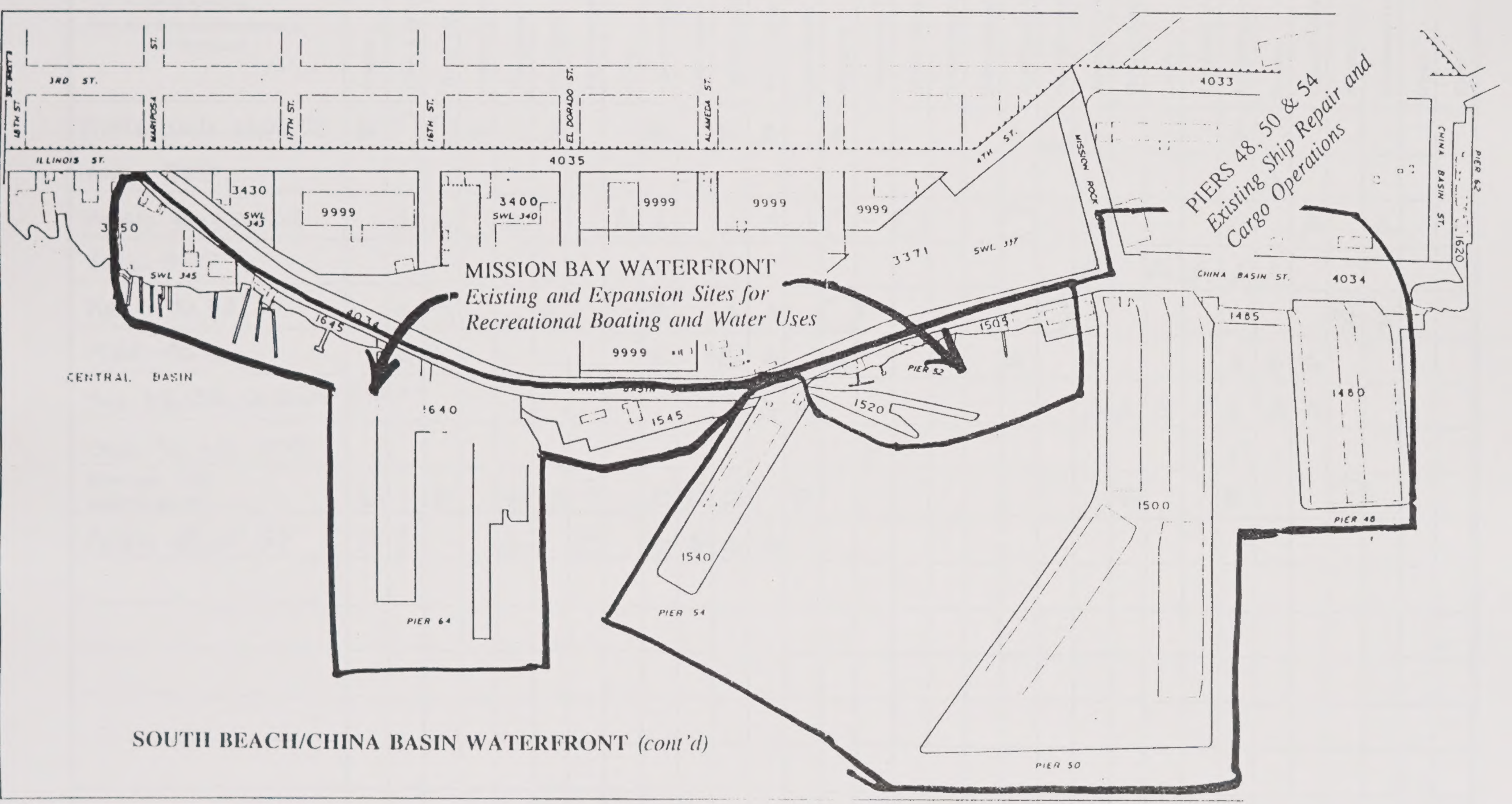
The Rincon Pier Mixed Use Opportunity Area includes Piers 22½, 24, 26, 28 and Seawall lot 328 (Assessor's Block __________). This cluster of sites is located under the Bay Bridge, between downtown San Francisco and the Rincon Hill and South Beach residential neighborhoods. Activities in this Opportunity Area will be enhanced by the proposed Rincon Park to the north. The Fireboat Phoenix and fire station at Pier 22½, add further attractions to the area that could become more of a focal point through careful attention to design. Piers 26 and 28 therefore provide excellent opportunities for entertainment activities to serve the general public, nearby local residents and downtown employees, as well as recreation services (e.g., bike and skate rentals) to people enjoying the Park and Promenade. These piers could also house a fireboat museum that would complement the fireboat station.

The potential for developing entertainment activities on these piers would be significantly enhanced if a current proposal to build a sports arena in Rincon Hill is realized. The presence of such a facility, located two blocks inland, would draw thousands of people to the area especially during evenings, making this segment of the waterfront a natural location for dining and other night-time attractions. These reuse opportunities should also include Pier 24 which is currently condemned. The site provides sweeping views of downtown at the edge of Rincon Park, which could be enjoyed if a portion of the pier were retained.

In spite of the potential reuse opportunities for these piers, a number of pending transportation and land use decisions have direct implications for the future of these facilities. As a result of the Loma Prieta earthquake, the network of freeway ramps that connected the Bay Bridge to the Embarcadero Freeway and City street system, known as the Terminal Separator, were demolished. The City's decision about how and where to replace the Terminal Separator will affect traffic flow in this vicinity and the development potential of Piers 26 and 28. In addition, some of the ramp replacement alternatives could result in significant new land uses on property that was formerly occupied by the ramps. Until these City-wide planning issues are resolved, final decisions regarding the long-term reuse of Piers 26 and 28 should be delayed. Interim uses for these two facilities would therefore be appropriate to provide some near-term revenue for the Port. In the short-term, Piers 26 and 28 also should continue to be available for maritime uses, which currently occupy limited portions of the piers.


CHINA BASIN MIXED USE
OPPORTUNITY AREA
Includes Caltrans Site between
King & Berry Streets
SOUTH BEACH HARBOR MIXED USE
OPPORTUNITY AREA
Includes Existing Maritime
(marina at Pier 40) Site
BRYANT ST. PIER MIXED USE
OPPORTUNITY AREA
RINCON PIER MIXED USE
OPPORTUNITY AREA
CHINA BASIN
KING ST.
SECOND ST.
FIRST ST
BRYANT ST.
MAIN ST.
HARRISON
STEUART ST
THE EMBARCADERO
SWL 334
3340
SWL 332
3320
3310
SWL 331
4028
1405
1385
1365
1345
1325
1400
1380
1360
1340
1320
1300
3300
4027
1285
SWL 329
1265
1215
1280
1260
1240
9003
SOUTH BEACH YACHT HARBOR
PIER 40
PIER 38
PIER 36
PIER 34
PIER 32
PIER 30
PIER 28
PIER 26
PIER 24
SAN FRANCISCO PORT COMMISSION
PORT OF SAN FRANCISCO
DEPARTMENT OF ENGINEERING
FACILITY COST ACCOUNTING
PIER 40 TO PIER 24
5

SOUTH BEACH/CHINA BASIN WATERFRONT


MISSION BAY WATERFRONT
Existing and Expansion Sites for Recreational Boating and Water Uses
PIERS 48, 50 & 54
Existing Ship Repair and Cargo Operations
3RD ST.
ILLINOIS ST.
18TH ST.
MARIPOSA ST.
17TH ST.
16TH ST.
EL DORADO ST.
ALAMEDA ST.
4TH ST.
MISSION ROCK
CHINA BASIN ST.
PIER 62
CENTRAL BASIN
4035
4033
4034
3430
3400
SWL 340
SWL 343
SWL 345
SWL 337
3350
3371
9999
1645
1640
1545
1520
1505
1485
1480
1500
1540
1620
PIER 52
PIER 54
PIER 64
PIER 50
PIER 48

SOUTH BEACH/CHINA BASIN WATERFRONT *(cont'd)*

ACCEPTABLE LAND USE SUMMARY: SOUTH BEACH/CHINA BASIN

NOTE KEY:

A = Acceptable Use
E = Existing Acceptable Use
E/I = Existing Use/May Continue As Interim Use
X = Accessory Use
○ = For Discussion
See also Interim Use Policies in Chapter 3

	Fishing	Ferry & Excursion	Water Taxi	Historic Ships	Temporary and Ceremonial Berthing	Recreational Boating & Water Use	Cargo-Related	Cruise	Maritime Support	Ship Repair	Maritime Office	Public Access	Open Space	Museums	Community Facilities	Visitor Center	Transit Facilities	Public Academic Institution	Commercial Recreation	Artist/Designers	Assembly & Entertainment	General Office	Hotels	Residential Use	Retail/Restaurants	Parking	Sports Facilities	Warehousing	Wholesale Trade/Promotion Center	Other:	Other:
PIERS 22½, 24, 26, 28	E	○	○	A		A			E		E	A		A					A	○	A				A						
SWL 328																										A					
PIERS 30-32, 34		A	A	○	A			A	A		A	A	A	○		○			○		A				E		A		A		
SWL 330																					A		A	A	A	A					
PIERS 36, 38, 40		A	A			A			E		A	A		○						○					X			E/I	A		
PIER 46 B		A	A						E		E	A		A					A		A				A	A	A				
SWL 335, 336, CALTRANS SITE											A	A	A								A	A	A	A	X	A	A				
SWL 331, 332, 333															E									E	E						
MISSION BAY WATERFRONT	E		E		E	E	E		E	E	E		E									E			E			○			
PIERS 48, 50, 54	E	E			E		E		E	E	E	A																			

Development Standards:

- Allow entertainment and recreational activities on Piers 26 and 28 and a part of Pier 24 (if feasible) that activate the area and provide amenities for people frequenting Rincon Park and The Embarcadero Promenade. New developments should include significant maritime activities to enliven the waterside and extend a "working waterfront" south of the Ferry Building.

- Remove all or part of Pier 24 to improve shoreline appearance. Apply any fill credits arising from the total or partial removal of Pier 24 to other new waterfront development projects.

- Preserve and renovate historic bulkhead buildings on Piers 26 and 28, if feasible.

- Maintain and highlight the Bay views along Harrison Street.

- Select and design outdoor activities in a manner that resolves impacts of the elevated noise levels from traffic on the Bay Bridge.

- Provide parking on Seawall Lot 328 as a facility that supports new development on the piers.

- If a stadium or arena is developed in the Rincon Hill area, allow bus parking as an interim use in Piers 26 or 28.

- Allow general warehouse as an interim use in Piers 26 and 28.

Bryant Street Pier Mixed Use Opportunity Area

This Opportunity Area includes Piers 30-32 and 34, and Seawall lot 330 (Assessor's Block _______).

The 13-acre pier and three-acre seawall lot together represent the largest potential development site of the Port. Unlike many of the Port's piers, Piers 30-32 is supported by concrete piles and is thus in good structural condition. In contrast, adjacent Pier 34 is condemned and should be removed as part of new development on Piers 30-32. The vast size of Piers 30-32, which can berth 800 foot long ships on its two sides offers untold possibilities for providing public entertainment and attractions, with a highly visible maritime element. In addition, the Pier should be a highlight on the PortWalk that would extend the pedestrian path along The Embarcadero onto the pier. Because the site is both prominent and yet somewhat isolated from an architectural standpoint, new development here could become a new signature piece in this

neighborhood, and should set a standard for other architectural improvements along the shoreline.

This site has been identified as a possible location for a modern cruise terminal that could become viable, if market conditions and changes in regulations lift the constraints that have limited the number of ships calling in San Francisco. Support services such as parking and neighborhood-serving businesses can be incorporated into development on the seawall lot which also would provide a buffer zone for residents of Bayside Village.

Development Standards:

- Provide activities on Piers 30-32 that attract residents of the City at large and the region, but also include businesses that provide goods and services oriented to the needs of nearby residents and employees.
- Due to the extraordinary size of Piers 30-32, provide significant maritime and public access uses together with a multi-faceted mix of commercial activities, all oriented around a common theme, such as family-oriented entertainment, or a trade and promotion center for California food and agricultural products, rather than a singular commercial attraction.
- Encourage new activities that do not generate peak traffic volumes during commute periods, in order to minimize congestion on roadway and public transit systems.
- Require a high standard of architectural design appropriate to the prominence of the site that also establishes a new architectural identity and standard for waterside development in the South Beach area.
- Incorporate expansive public access on the piers that builds upon and enhances the PortWalk through the South Beach area.
- Demolish Pier 34 and make shoreline improvements that are integrated with the public access and shoreline improvements for new development on Piers 30-32. Apply any fill credits arising from the pier demolition to new development projects or rehabilitation of other piers.

South Beach Harbor Mixed Use Opportunity Area

The South Beach Harbor Mixed Use Opportunity Area includes Piers 36, 38, and 40 and South Beach Harbor. The 700 berth harbor is the focal point of the area, adding the familiar sounds of clanking white masts, to the maritime ambience of this area. Although the Harbor is a well-

utilized facility that draws market rates for berthing, it does not generate sufficient revenues to cover the capital improvements. The Redevelopment Plan addressed this deficit by designating Pier 40 for general office use that would produce surplus revenues to subsidize the Harbor. The Harbor currently requires an annual subsidy of approximately $1.25 million.

After the Redevelopment Plan was adopted in 1984, the State Attorney General ruled general office use to be inconsistent with the public trust. The Redevelopment Agency therefore is endeavoring to identify other uses that generate similar surplus revenues. Any proposed uses other than office will require an amendment to the Redevelopment Plan before they can be developed.

Although in deteriorated condition, the redevelopment of Piers 36 and 38 could complement new uses on Pier 40 and South Beach Harbor. Pier 38 could accommodate the expansion of Pier 40 water-related activities, such as excursion boat operations which need better facilities. Other possibilities include a center for maritime support services, additional docking for short-term visiting boaters, or even expanded marina facilities, if revenues from additional commercial activities were included. In the meantime, the Redevelopment Agency has proposed to renovate a portion of the space in the Pier 38 bulkhead structure for restaurant use. The long-term development potential for Pier 36 is less clear, due to its extremely poor condition. Since it has little, if any, utility as a maritime asset, demolition of the pier to make way for shoreline access improvements may best meet the objectives of the Waterfront Plan.

Because of the number of more attractive piers and seawall lots in the South Beach/China Basin area, the time frame for potential development favors other sites before Piers 36 and 38. As such, interim uses should be considered for these facilities to help address the Port's financial needs as well as maintain the structures.

Development Standards:

- Permit uses in Pier 40 that generate revenues to offset existing debt service obligations of the South Beach Harbor.
- Permit expansion of excursion boat operations and recreational boating activities at Pier 38
- Evaluate the costs and benefits of removing Pier 36 and providing shoreline improvements. If determined to be feasible, apply any full credits arising from the pier removal to other waterfront development projects.
- Permit consolidation of maritime support services in Pier 38

- Permit interim uses on Piers 36 and 38 until long-term uses of these facilities can be realized.

China Basin Mixed Use Opportunity Area

The China Basin Mixed Use Opportunity Area. located at the mouth of China Basin Channel, includes Pier 46B, and Seawall lots 335 and 336 (Assessor's Blocks ______). In addition, this Opportunity Area includes Assessor's Block ________, a 3.5 acre site currently owned by Caltrans, but which the Port has the option to acquire.

Adjacent to the South Beach Harbor and the proposed South Beach Park, and across from the planned Mission Bay Wetlands, this Opportunity Area enjoys an extraordinary setting. Situated at the confluence of the Bay and China Basin Channel, the location provides spectacular near and distant waterfront views of the Bay, the marina, and the landmark Third Street Bridge over the Channel.

Pier 46B has for __ years housed the Port's maintenance and tug and tow operations, partly because its location affords easy access to the entire waterfront as well as a relatively isolated place in which to operate repair shops. However, with new open space improvements planned for the adjacent South Beach Park, extending public access from the South Beach Harbor right up to Pier 46B, these uses may no longer be appropriate for the location.

This Opportunity Area lies adjacent to the existing China Basin office complex and the planned Mission Bay office corridor along the new King Boulevard, which will provide direct access to I-280 and be served by the MUNI Metro extension. New uses here should provide critical links between the South Beach and Mission Bay neighborhoods. With such excellent transportation access, development in this Opportunity Area could take many forms, providing activities that have citywide and regional draw. For example, this Opportunity Area has been proposed as a site for a new ballpark or arena (with a maximum of 22,000 seats), although an arena would likely require an exception to the 40 foot height limit for this area. The desire to create an exciting waterfront activity center must be balanced with the need to maintain a comfortable living environment for the residents in South Beach.

Development Standards:

- Locate possible residential and/or commercial uses along the inland side of Pier 46B, Seawall Lot 336 and Assessor's Block ____, leaving the waterside area available for commercial and maritime attractions, and public access improvements.

- Permit operation of excursion boats, water taxies, and boat rentals, in addition to recreational boating activities in South Beach Harbor.

- Design the South Beach Park so that it enhances the visibility of the South Beach Harbor and public access pier, and also includes amenities targeted towards South Beach residents, such as children's play areas.

- Ensure that final design of the South Beach Park provides an adequate number of access points for new development in this Opportunity Area, particularly on Pier 46B.

- Provide PortWalk public access improvements that connect the South Beach Harbor and proposed South Beach Park with waterside access through the Pier 46B site and over the Third Street Bridge, thereby providing a link with the future Mission Bay open space network and implementing the regional Bay Trail.

- Continue to accommodate docking for tug and tow vessels at Pier 46B.

- In designing new development, minimize shading and wind acceleration impacts on the proposed South Beach Park.

- If an arena is proposed, amend the height limit to accommodate the structure and incorporate setbacks to afford views of Lefty O'Doul Bridge. Incorporate significant public access improvements, and other activities that serve patrons and enliven the area during non-event periods. Minimize parking requirements by providing public and group transit. Locate any parking away from the water and maximize shared use arrangements with surrounding parking resources in the vicinity. Generate fair market revenue return to the Port.

Other Maritime Expansion Sites

Piers 48, 50 and 54
Development Standards:

- Continue to make these facilities available for cargo-related and ship repair operations, as well as for seasonal berthing and servicing of fishing vessels.

- Allow maritime support operations that may serve a number of other maritime and water-dependent operations, such as tug and tow operations, temporary and layover berthing, storage space, and a public water taxi stop.

Mission Bay Waterfront (Pier 52 to Mariposa Street, except Pier 54)
Development Standards:

- Repair the public boat launch near Pier 52 and return it to full service as soon as possible.

- Provide shoreline improvements, where feasible, to support expanded recreational boating and water activities between Pier 50 and the San Francisco Boatworks near Mariposa Street, including possible reuse of Pier 52, adjacent to the public boat launch, for a new small boat hoist, temporary storage, or other support services for the recreational boating community.

- Permit ancillary services and activities, such as boat clubs, a bait shop, convenience retail and food services, to both enhance the enjoyment of the area for water sport enthusiasts and the future Mission Bay population, as well as generate enough revenue to maintain the boat launch and public access improvements.

- Provide expanded boat trailer parking areas coordinated with the design of the Mission Bay waterfront open space on the west side of Terry Francois Boulevard.

- Permit existing small restaurants and office buildings to remain in operation, as they provide services to employees and visitors, and increase security in the area.

- Maintain the small boat repair and services such as dry storage and boating supplies to the extent possible.

- Remove Pier 64. Apply any fill credits from this removal to new development projects in the area.

Other New Opens Space Sites

Mission Bay
Development Standards:

- Address the parking needs of recreational boaters in the design of the Mission Bay open space near the Pier 52 public boat launch.

Aqua Vista Park
Development Standards:

- Encourage improvements to enhance the public fishing areas and passive recreational features of this park.

THE SOUTHERN WATERFRONT

The majority of the Port's industrial maritime uses are concentrated in the southern waterfront, which extends from Mariposa Street to India Basin.

Objectives for the Southern Waterfront

Maximize the utilization of existing cargo terminal facilities.

The Port has two modern, deep-water cargo terminals located at Piers 80 and 94/96, and is the only Northern California port with on-dock rail facilities for intermodal cargo. Both terminals primarily handle container cargo, but have the capability for break-bulk, roll-on-roll-off container freight station operations (stuffing and unstuffing of containers) and transloading (transfer of cargo from one mode to another, e.g. between boxcar and container). The Port recently invested approximately $7 million in yard improvements at Pier 80 to increase yard capacity and throughput, including underground utilities, refrigerated cargo spaces and improved storage area to accommodate transtainers. Recent improvements to the South Terminal (Piers 94/96) include a new entrance gate to expedite the documentation of cargo receipt and delivery and a 17-foot extension to each of the two container cargo cranes to accommodate larger ships.

Despite these improvements, both of the Port's container terminals are operating at well below capacity because of declining cargo shipping activity. While many of the factors leading to this decline are beyond the control of the Port, creative marketing could help to increase the utilization of existing cargo facilities. For example, the Port intends to offer long-term preferential assignments of its container terminals to selected ocean carriers. Historically, no one carrier has controlled either of the Port's two container terminals. Rather, stevedore companies have competed for the right to operate the terminals as public facilities for a combination of ocean carriers. The dedicated terminal strategy offers a better quality of operation to shipping lines. In addition, marketing may be directed toward smaller shipping lines that serve the regional market and do not necessarily carry ship-to-rail intermodal cargo. San Francisco can offer high quality service to smaller carriers that transport cargo by truck that often are displaced from large, more congested terminals (such as Oakland and Los Angeles) that cater to ship-to-rail intermodal shipping lines.

Pursue financing mechanisms to develop competitively priced maritime support facilities in the southern waterfront.

Although the Port's cargo operations are concentrated in the southern waterfront, three piers in the northeast waterfront (Piers 15-17, 19-23, and 27-29) continue to function exclusively as cargo-related facilities. These warehouses, constructed long ago, have lower debt service requirements than would a newly constructed industrial warehouse building and, therefore, are affordable to cargo-related businesses which typically seek low cost facilities in less urban locations. The proximity of these warehouses to the Port's container terminals is

critical to maintaining and expanding cargo shipping in San Francisco. Over time, land use trends and limitations on dredging may call for the consolidation of cargo-related activities south of China Basin, however there are no comparable facilities available to receive the existing cargo-related businesses in the southern waterfront. Although there is a great deal of underutilized or vacant space in the southern waterfront, creative financing mechanisms will be required to attract these and other cargo-related businesses to the southern waterfront at prices they can afford.

Maximize the productivity of Port assets through interim use of property reserved for maritime expansion.

Most of the Port's properties in the southern waterfront have long been reserved for future expansion of maritime operations such as cargo shipping, cargo support services, and ship repair. These areas are identified as "Maritime Expansion" sites and include backlands at Pier 70, the Western Pacific Railyard adjacent to Pier 80, backland property at Pier 90 and Pier 94 (Seawall Lots 344 and 352), and Seawall Lot 354 along the south side of Islais Creek. Despite the recent decline in shipping operations at the Port, container cargo business in the Bay Area is on the rise. Continued reservation of the "Maritime Expansion" areas will enable the Port to be responsive to the projected long-term growth trend in the industry while pursing solutions to a variety of issues that currently impede the maximum utilization of the existing terminal facilities. In the meantime, because the existing maritime facilities are not fully utilized, these expansion areas remain unimproved, attracting vagrants and illegal dumping. Given the uncertain time frame for full utilization of the Port's container terminals and the general decline of the ship repair industry, interim uses on these sites would help the Port generate revenues, provide industrial property not readily available in San Francisco, as well as provide a means of policing and maintaining these properties until they are needed for maritime expansion.

Under the *Seaport Plan*, BCDC typically restricts interim uses to five years or less. Given the Port's long-term outlook for expansion of container terminal space, and the fact that most interim uses on undeveloped sites would require some capital improvements, longer leases will be necessary. Longer leases for the "Maritime Expansion" areas would allow the Port to rent facilities to established businesses that have the resources to maintain a stable presence in the area and comply with environmental standards. Longer lease terms also elicit higher rents and will provide additional revenue to support other Port priorities.

Interim uses of a shorter term would continue to be appropriate for vacant or underutilized facilities within "Existing Maritime" areas, such as the improved container terminal facilities at Piers 80 and 94/96.

Portions of Pier 70 and Seawall Lot 352 are Class III landfill sites and are subject to closure requirements by the California Regional Water Quality Control Board ("Regional Board").

Interim land uses are restricted to those that will have no effects on ground water and surface water quality or have the engineering controls in place to prevent impacts. These

requirements will affect the cost and timing of converting these properties into productive assets for the Port. Close coordination with the Regional Board will facilitate the timely availability of these sites.

Development of non-maritime land uses that would be beneficial to the Port and compatible with maritime activities should be considered in areas that are surplus to long term maritime needs.

While interim leasing will better utilize property that is reserved for possible growth in San Francisco's maritime industries, opportunities for other long-term uses may arise that should be considered and weighed against the merits of land banking. One such proposal is for a co-generation power plant that, if located adjacent to the grain dock at Pier 90 and the liquid-bulk (tallow) facility at Pier 92, could provide steam and electrical power to these maritime related facilities, while serving the primary purpose of providing supplemental power to the City and County of San Francisco. Revenues generated from this use would help the Port recover from recent financial setbacks in its maritime operations.

The location chosen for the proposed cogeneration power plant is a good example of a site that is not likely to be useful for maritime purposes. Marine terminal planners determined in 1993 that only an additional 6 acres of improvements are needed to operate the South Terminal at maximum capacity and an additional 58 acres of unimproved backland property is sufficient to accommodate an expansion of the South Terminal, with the addition of three new berths and storage facilities. The remaining 37 acres of backland property behind Piers 90 and 92 (on Seawall Lots 344, 352), including the proposed cogeneration site are, therefore, surplus to container shipping operations. The long-term benefits of a proposed non-maritime use should be weighed against the added value of reserving undeveloped property for possible maritime expansion and its concomitant capital outlay.

Promote non-maritime activities in and around the historic Union Iron Works buildings to facilitate the revitalization of an area that survives as an example of San Francisco's earliest maritime industry.

Located a few miles from the center of San Francisco, this area was developed in the late 1800's for maritime and other industrial businesses, with nearby residences for working-class families. The Union Iron Works was established at Twentieth and Illinois in 1883 for the building of steel steamships and men-of-war.

Unfortunately, the total amount of ship repair opportunities has diminished greatly since the end of the Vietnam War (see Appendix A). As ship repair contracts have decreased, the

number of piers dedicated to use as ship repair facilities also has decreased. San Francisco Drydock, which operates out of Pier 70, and Service Engineering Company (SECO), which operates out of Pier 50, are the only full service ship repair companies with year-round operations at the Port.

San Francisco Drydock recently identified approximately 18 acres that are surplus to their ship repair operations and will be removed from their license agreement with the Port. The vacated area includes three turn-of-the-century Union Iron Works buildings along 20th Street that have outlived their maritime function and are slowly deteriorating. Especially of note is the former Bethlehem Steel headquarters, a Beaux Arts style building at the corner of 20th and Illinois Street. The City's Landmarks Preservation Advisory Board has nominated these buildings as City landmarks. Renovation and incorporation of these buildings in a mixed-use development will preserve the industrial form of a by-gone era, while creating leasable space suitable to meet current market opportunities.

A mixture of maritime and non-maritime land uses also is desirable to improve access to the Bay and attract people to this historic section of the City. Industrial operators surveyed for the South Bayshore Issues Report complained of the lack of security in the area. They also complained that there are no amenities, such as restaurants, public access or improved outdoor areas for their employees. Limited commercial uses such as restaurants and retail establishments would provide services for employees as well as attractions for the broader public. Commercial uses in this heavily industrial part of the working waterfront should be designed to benefit the local maritime community as well as the general public. Of paramount importance, however, is the compatibility of any improvements with the ongoing ship repair operations.

Reserve or improve areas that will provide opportunities for the protection of wildlife habitat and for passive and active recreational uses.

The southern waterfront offers several opportunities to observe a variety of waterfowl along undeveloped edges of the Bay's intertidal zone. These sites also offer compelling visual juxtapositions of the natural bay environment against the urban and industrial forms of the City.

Warm Water Cove. At the bayside terminus of 24th Street, Warm Water Cove provides an excellent opportunity for physical public access to the Bay. Despite modest improvements, however, the site has attracted few visitors, in part because it is surrounded by unimproved properties. Nevertheless, this quiet cove provides an excellent opportunity for off-site visual access to the container shipping operations at Pier 80.

The *Seaport Plan* currently designates this area for potential expansion of container cargo operations at Pier 80, which would require major site acquisitions and the filling of Warm

Water Cove. However this designation is likely to be deleted in the 1994 *Seaport Plan* update, permitting the Port to invest in long-term improvements that attract people to the area and result in improved utility and caretaking of the property. Possible new uses include small boat or kayak storage and launching facilities, or limited commercial services for the work-day population.

Islais Creek. Islais Creek, located south of Army Street, runs through the City's industrial center. Although the creek has been significantly altered by industrial development, it still supports a habitat for juvenile fish rearing and provides some relief from surrounding urban activities along with water-oriented recreational opportunities. A constituency of interested citizens called the Friends of Islais Creek are actively pursuing public access and landscaping improvements on the south bank (west of the Third Street bridge), to complement the landscaped public access area on the north bank (east of the bridge) which was created as part of the City's sewer system improvements in the 1980's. Efforts should be made to build upon this citizen effort by enhancing and expanding these improvements. For example, public access improvements planned by the City for Seawall Lot 354 will extend a 50-foot wide pedestrian promenade along the northern edge of the creek.

Pier 94. The unimproved backland area adjacent to Pier 94 consists of a large landfill area that is reserved for container terminal expansion. In the early 1970's, a section of the fill immediately adjacent to Pier 94 failed. As a result of that failure, adjacent fill material subsided, allowing tidal inundation and subsequent emergence of wetlands. If development of this property for interim or long-term uses causes filling of the wetlands, appropriate mitigation measures will be required.

Pier 98. Pier 98 is an approximately 25-acre landfill south of the Port's container terminals that was developed in the early 1970's to provide new area for container terminal expansion and the footing for a new bridge over the Bay, the Southern Crossing. Since placement of the fill material, the fill has subsided in some places, resulting in tidal inundation and the emergence of wetland vegetation. Pier 98 now provides habitat to a variety of shorebirds as well as unimproved passive public access that is primarily used for fishing.

Because the fill at Pier 98 will not be used for either of the originally intended uses, the Port has negotiated an agreement with BCDC to enhance the wetlands and create a passive recreation park. Although the Port has committed the funds necessary to design this open space, there are currently no funds to finance the actual improvements. A concentrated effort is being made to find other sources of funds to augment the project. One of the design challenges will be to provide public access improvements that do not conflict with the shorebird habitat.

India Basin. Port jurisdiction includes a portion of the City and County of San Francisco's proposed India Basin Shoreline Park. Grassy picnic areas, small boat launching and related

facilities are planned for the Shoreline Park. The design of the Shoreline Park should be coordinated with Pier 98 improvements to create contiguous access along the Bay and a mixture of active and passive recreational opportunities.

Enhance the public's appreciation of the waterfront by providing greater opportunities for access in a manner that does not compromise the efficiency of maritime operations.

Industrial waterfronts, especially those with historical or cultural associations, are valued as an important public amenity as well as a critical economic resource. Many people are fascinated with the movement and sheer scale of the massive ships that call upon the Port. Innovative means of achieving access to the industrial waterfront should be pursued, including "visual" access accompanied by informational displays that describe the maritime functions taking place.

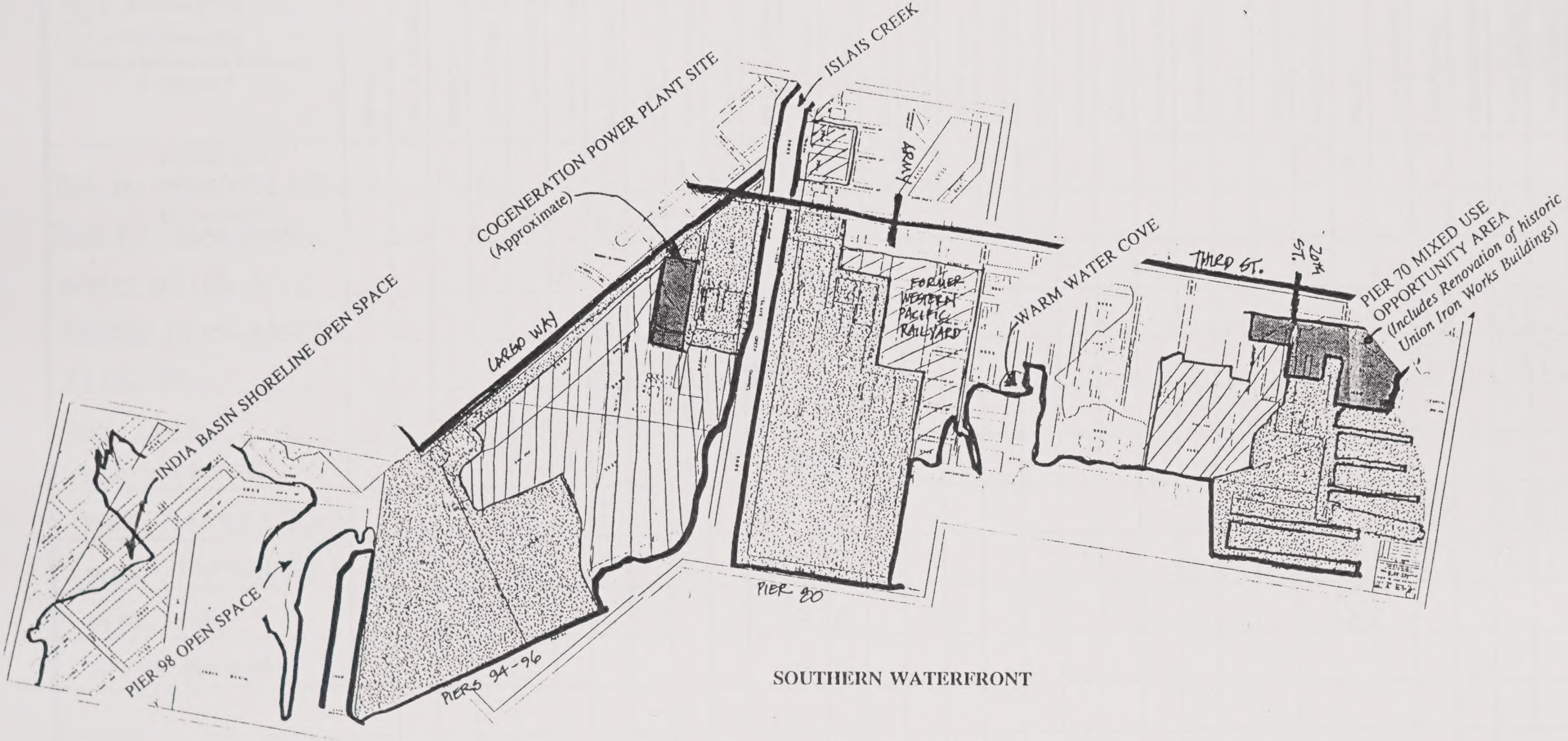
The area recently vacated by San Francisco Drydock adjacent to Pier 70, is an example of an opportunity to provide compelling visual and physical access to the working waterfront, provided that care is taken to ensure compatibility with the ongoing ship repair operations. Pier 98, Islais Creek and Warm Water Cove provide similar opportunities for public access to areas that have interesting natural features and/or offer unique opportunities to witness San Francisco's maritime industries at work.

Standards for New Development

Pier 70 Mixed Use Opportunity Area. Approximately 15 acres between 18th street and 21st Street in the vicinity of Pier 70 have been identified as a Mixed Use Opportunity Area. The preservation and adaptive reuse of the historic Union Iron Works buildings in this area will pose a considerable challenge. Two of the structures are built of unreinforced masonry, requiring substantial repair and seismic re-engineering before they can be reused, and contain asbestos, lead and other potentially toxic substances. The cost of renovating these buildings would be prohibitive for maritime businesses and most public uses. Flexible regulations that allow non-maritime tenants to use the buildings will maximize opportunities to preserve the buildings.

Development Standards

- Permit non-maritime land uses that result in preservation and adaptive reuse of the Union Iron Works buildings and that do not interfere with water-dependent activities or associated support services.
- Include public access improvements extending to the water's edge in the area adjacent to Seawall Lot 345, in any renovation efforts of the Union Iron


ISLAIS CREEK
COGENERATION POWER PLANT SITE
COGENERATION
(Approximate)
INDIA BASIN SHORELINE OPEN SPACE
PIER 98 OPEN SPACE
PIERS 94-96
CARGO WAY
PIER 80
ARMY
FORMER WESTERN PACIFIC RAILYARD
WARM WATER COVE
THIRD ST.
20TH ST.
PIER 70 MIXED USE OPPORTUNITY AREA
(Includes Renovation of historic Union Iron Works Buildings)

SOUTHERN WATERFRONT

▨ = **MARITIME EXPANSION SITES**
(Areas Available for Long-term Interim Uses)

░ = **EXISTING CARGO AND SHIP REPAIR SITES**

ACCEPTABLE LAND USE SUMMARY : SOUTHERN WATERFRONT

NOTE KEY:

A = Acceptable Use
E = Existing Acceptable Use
E/I = Existing Use/May Continue As Interim Use
X = Accessory Use
○ = For Discussion
See also Interim Use Policies in Chapter 3

	Fishing	Ferry & Excursion	Water Taxi	Historic Ships	Temporary and Ceremonial Berthing	Recreational Boating & Water Use	Cargo-Related	Cruise	Maritime Support	Ship Repair	Maritime Office	Public Access	Open Space	Museums	Community Facilities	Visitor Center	Transit Facilities	Public Academic Institution	Commercial Recreation	Artist/Designers	Assembly & Entertainment	General Office	Hotels	Residential Use	Retail/Restaurants	Parking	Sports Facilities	Warehousing	Wholesale Trade/Promotion Center	Other: Light Industrial	Other: Heavy Industrial
PIER 70: MIXED-USE OPPORTUNITY SITE			A	A			A		A	E/I	A	A		○	○			○	A						○	X		○			
PIER 70: EXPANSION MARITIME				○	A		A		A	A	A							○										①		①	①
WARM WATER COVE						A						E	E												Ⓧ						
WESTERN PACIFIC RAILYARD							A		A		○									○								①		①	①
PIER 80					E		E		A		E																	①		①	①
SWL 354							A		A																						
ISLAIS CREEK						A	A		A			E	E																		
PIER 90/92 (SWL 344)					E		E		E		A																	①		①	①
PIER 94/96 (SWL 352)					E		E		E		E																	①		①	①
PIER 98												E	E													Ⓧ					
INDIA BASIN												E	E																		

Works buildings particularly if such restoration involves additional development on land surrounding the structures.

- Preserve the working waterfront's authentic maritime character by respecting the work-a-day qualities of the industrial setting.

- Encourage accessory retail activities that provide services to area workers, as well as provide opportunities for people to better acquaint themselves with maritime industries in this area of the City.

- Provide parking because of the limited transportation access to this site.

Cogeneration Power Plant Opportunity Area. An approximately 10-acre site located off Cargo Way next to the existing grain elevator offers an excellent site for a proposed cogeneration power plant to provide supplemental power to PG&E.

Development Standards

- Design should reflect the state-of-the-art for modern power facilities and should complement existing waterfront uses to the greatest extent possible.

- Incorporate state-of-the-art environmental protection that mitigate emission and other impacts on resident populations, wildlife habitats or other sensitive receptors in the South Bayshore area.

- Public benefits that accrue to the southern waterfront will be negotiated to the maximum extent feasible, including open space and public access improvements.

- The cogeneration facility should not negatively impact the Islais Creek public access and open space improvements.

- Maximize the economic benefit to the Port of San Francisco.

Standards for Maritime Expansion Areas

Much of the Port's property in the southern waterfront is reserved for possible maritime expansion, including the backland areas at Pier 90, Pier 92, and Pier 94; Western Pacific Railyard; and a portion of backland area at Pier 70. Although some of the expansion areas would provide additions to the Port's container terminals, most of the areas are reserved for the development of cargo-related support services, such as warehousing, that typically

require large facilities at low cost.

Development Standards

- Unimproved space or empty buildings that are not anticipated to be utilized for maritime purposes within the next 10-20 years should be made available for interim use. Lease terms of 10-20 years, and in exceptional cases 30 years, should permit amortization of tenant improvements or construction of interim facilities. Particular types of interim uses suitable for the area include: non-maritime warehouse, manufacturing, staging activities, use of grain silos for materials other than grain, bio-remediation, recycling operations, and open air storage. Prior to entering into 20-30 year leases, establish a process for determining that the Port's maritime business would not be jeopardized.

- Ensure that proposed interim uses are compatible with maritime and industrial uses in the general area, and comply with all environmental regulations, including those governing landfill closure sites, where applicable.

- Develop leasing procedures for interim uses that ensure adequate measures to return property to maritime use when necessary. Ensure that longer-term interim users fully realize that their tenure is of limited duration.

- Proposed interim uses at Seawall Lot 352 and Pier 70 must be compatible with landfill closure requirements imposed by the Regional Water Quality Control Board.

- Interim uses must not add to hazardous material contamination, and in most cases a physical barrier must be included in the design (i.e. paving, concrete)

Standards for Existing and New Open Spaces and Public Access Areas

Warm Water Cove:

- Develop accessory commercial or water-oriented recreation facilities, such as recreational boating, to improve public access to the Bay and to activate the park.

- Provide lighting, public telephones and other amenities to improve security of the open space.

- During lease negotiations for properties in the vicinity of Warm Water Cove (Pier 70 to Pier 80), seek funding for improvements that will improve existing and provide new public access and open space. For example, improvement of the Western Pacific Railyard may provide an opportunity to extend the park to the south, increasing visual access to the container shipping operations at Pier 80.

- Explore the possibility of enhancing flows of water to the Bay from PG&E to improve fishing in the area.

- Seek funding opportunities to improve park maintenance, including cleaning up debris in the channel along the water's edge.

Islais Creek:

- Continue to assist Friends of Islais Creek in designing and implementing improvements to the south bank of the creek (west of the bridge) including native landscaping, seating areas, and possibly a small boat launch and/or storage facility. A small number of accessory parking spaces may be needed to serve the boat launch.

- Design public access improvements in a manner that is compatible with re-configured freight rail access to the Port's container terminals. If rail access is re-designed, opportunities to incorporate public access along the rail right-of-way and creek edge should be addressed.

- Public access should be provided all along the western end of the creek.

Pier 94:

- Seek mitigation areas to compensate for fill of the wetlands at Pier 94 in advance of long-term maritime expansion on the site.

Pier 98:

- Determine the primary purpose of the open space, and the particular user groups that will benefit from it, to ensure there will be stakeholders that will continue to enjoy and protect the resource. Coordinate implementation actions with interested community and environmental groups, and seek grant funds to construct and maintain the desired improvements.

- Balance the potentially conflicting objectives of public access and habitat preservation during project design and environmental review.

- Take full advantage of opportunities to view wildlife as well as maritime and industrial activities.

- Provide interpretive and informational displays explaining issues such as the environmental benefits of wetlands, Port operations, and other activities of public interest.

- Design and construct improvements to facilitate pedestrian access along the shoreline that would connect PG&E's shoreline access to the proposed India Basin Shoreline Park.

- Provide alternative public access along the former LASH terminal causeway north of Pier 98, if feasible, in a manner that avoids conflict with the maritime terminal facilities, in order to limit disruption to shorebird habitat from human access on Pier 98.

India Basin Shoreline Park:

- Cooperate with the City and County's Recreation and Parks Department to facilitate the site acquisition for India Basin Shoreline Park.

- Coordinate open space design efforts at Pier 98 with the City and County Recreation and Parks Department to facilitate continuous pedestrian access along the Bay.

KDK/fj/L:SWPLAN

CHAPTER 5: IMPLEMENTATION

The Draft Waterfront Land Use Plan is intended to serve as a balanced and implementable land use plan for the use and development of the San Francisco waterfront. Implementation of the Waterfront Plan will proceed on two fronts.

(1) The Plan's policies and objectives will be incorporated into the regulatory framework that governs waterfront land use through a legislative process.

(2) Improvements on the waterfront, consistent with the Plan, will be realized through a site-specific development process.

The legislative process actually began several years ago when San Francisco voters adopted Proposition H, calling for preparation of a land use plan for a portion of the Port's property. Completion of the Draft Waterfront Land Use Plan is the first milestone in that process. After the Waterfront Land Use Plan Environmental Impact Report is completed, the Port Commission can then adopt the Plan, and forward: (1) conforming amendments to the City's Master Plan and City Planning Code for review and action by the Planning Commission and (2) conforming amendments to the Bay Conservation and Development Commission's plans and policies, for review and action by BCDC. (See Chart on p. [to be provided]) identifying agencies with regulatory control over Port property, and listing relevant planning documents and legislative authority).

The site-specific development process can begin in earnest upon completion of the legislative process. However, the Port's distressed economic condition dictates that the process of realizing planned improvements should begin as soon as possible wherever feasible. For example, the development process could be initiated now for sites that are not subject to the Proposition H moratorium, such as the Port's seawall lots. If specific project proposals were initiated soon, given the long lead time required to obtain necessary land-use entitlement, these project proposals could receive final approval at about the same time the Waterfront Plan receives the final legislative approvals.

The legislative process and the site-specific development process necessary to fully implement the Waterfront Land Use Plan are discussed more fully below. As these processes unfold and related issues are further considered, more details about implementation of the Waterfront Plan will become available.

Legislative Process

The people of San Francisco took the first step in the legislative process by enacting Proposition H, calling for the Port to prepare "a 'Waterfront Land Use Plan' which is consistent with the terms of this initiative for waterfront lands." Waterfront lands were defined to include Port-owned piers and most of the Port-owned property within a 100 foot

band along the shoreline from Hyde Street Pier to India Basin. The Port expanded the planning area to encompass all Port owned property in order to ensure a comprehensive program for the use and development of the City's waterfront.

Although the Draft Waterfront Land Use Plan has been prepared to meet the requirements of Proposition H, the Plan's policies and objectives and site-specific land use designations must also be embodied in the regulatory framework which now governs waterfront land use. The principal plans and regulations that will have to be amended include the:

(1) Master Plan of the City and County of San Francisco;
(2) City Planning Code; and
(3) Bay Conservation and Development Commission's (a) *Bay Plan;* (b) *Special Area Plan; (c) Total Design Plan; (d) Seaport Plan; and (e)* Regulations

In addition, State legislation may be required to clarify BCDC's authority to permit some of the land uses identified in the Draft Plan, such as maritime office uses on piers, and to ratify Port action related to any public trust lands proposed for non-trust related uses.

The timeline shown on p.___ sets forth the anticipated chronology of legislative actions. The precise form of the proposed amendments will be determined over the next year while the Environmental Impact Report is being prepared. Port staff has been conferring with City Planning Department staff to decide whether the form of the current *Master Plan* will be followed, essentially dividing the waterfront into three separate geographic area plans, (*Northeast Waterfront Plan, Central Waterfront Plan, South Bayshore Plan*), or if a new consolidated waterfront plan element should be substituted. Similarly, the Port and BCDC staff will work together to establish an appropriate format for necessary amendments.

The Need for Consistent Plans and Policies for the Waterfront

Whatever form the legislative amendments may take, the Waterfront Plan Advisory Board recommends that all applicable plans and policies for the waterfront should be consistent and clearly presented, reflecting a consensus for the future use and development of the Port shared by all agencies with jurisdiction over the waterfront. To further this objective, the Board also recommends that the general principles and land use options be formulated as a special area plan, endorsed by the City and Port, the State Lands Commission, and BCDC to supersede the existing BCDC *Special Area Plan* for the Port area. In addition, San Francisco voters may also be asked to endorse the policies of the Waterfront Plan.

A wide range of substantive issues concerning waterfront land use policy may arise during the legislative process. More than twelve years have passed since the last comprehensive planning effort was completed for the San Francisco Waterfront. Over that time period, changes in law, in the surrounding land uses, and in the economics of maritime industries

have made existing planning documents obsolete in many respects. In fact, the planning agencies foresaw the decline in demand for pier space for industrial water-dependent uses over 20 years ago and called for a subsequent planning effort to identify appropriate replacement uses for piers along the waterfront north of China Basin Channel. (See BCDC Special Area Plan, p.____.)

The Waterfront Plan Advisory Board members were aware of the need for a comprehensive review of existing plans and policies when they decided not to be restricted by existing regulations in identifying appropriate land use designations for Port property. At the same time, the Advisory Board was conscious of the extent to which controversy over waterfront land use policy could hinder implementation of plan objectives. Therefore, the Draft Waterfront Land Use Plan contains a broad range of acceptable uses on specific Port sites, including provisions for interim uses, that should allow productive use of Port property while proposed changes in laws governing waterfront development are subject to further public debate. Of course, many existing land use plan objectives and policies are carried forward in the Draft Waterfront Land Use Plan.

The Effect of the McAteer-Petris Act on Port Land Use

While it would not be useful at this time to itemize all of the legislative amendments necessary to implement the Waterfront Land Use Plan policies, there are several substantive issues that warrant special mention because their resolution will require regulatory changes at the state, regional and local levels. Most of the issues arise from the *McAteer-Petris Act*, which established the Bay Conservation and Development Commission. BCDC has authority to permit or deny any project in or over the water, or within 100 feet of the shoreline, after reviewing the project in light of specified criteria. Much of the Port's property falls within BCDC jurisdiction. BCDC policies will determine the extent to which the Port will be able to maintain existing uses, authorize interim uses, and encourage any substantial renovation of existing pier-side facilities to accommodate new uses, consistent with the Waterfront Land Use Plan.

The crux of the problem is that the Port has a surplus of existing facilities, including many piers that extend into the Bay, for which there is inadequate demand by water-oriented uses. The *McAteer-Petris Act*, which governs the reuse of these facilities, was enacted to address the opposite problem, that of excessive new filling of the Bay for non-water-oriented uses. As discussed in Chapter 1, over the last 50 years, the demand for pier facilities for water-dependent uses has declined dramatically due to (1) the decline in ferry passenger travel, (2) the shift to containerization of cargo, (3) the rising preeminence of the Port of Oakland in container shipping and, most recently, (4) the planned reduction in naval military operations. These same forces have led to a surplus of facilities around the Bay that could accommodate water-dependent uses.

For the past 25 years of this transition, the *McAteer-Petris Act* has governed the reuse of the Port's pier facilities. The *McAteer-Petris Act* requires any person "wishing to place fill, to extract materials, or to make any substantial change in use of any water, land or structure" to obtain a permit from BCDC if the development is "within the area of the Commission's jurisdiction." (Government Code §66632.) The State Attorney General's Office has explained that the Commission has two types of "jurisdiction":

(1) jurisdiction over a 100-foot band abutting the Bay shoreline ("shoreline band" jurisdiction) where, unless the land has been designated for water-oriented priority land uses, the Commission may deny an application "only on the grounds that the project fails to provide maximum feasible public access, consistent with the proposed project, to the Bay and its shoreline" ('shoreline band' jurisdiction); and

(2) jurisdiction over the Bay itself ("bay" jurisdiction) where the Commission applies stricter criteria in reviewing the proposed development, among them the requirement that the project be "water-oriented" and that there be "no alternative upland location . . . available for such purpose." (See §§66605, 66610, 66611, 66632, 66632.4.) Attorney General, Informal Opinion dated October 8, 1986.

Unfortunately, the *McAteer-Petris Act* did not clearly define which of the two types of jurisdiction applied to the use and development of pre-existing pile supported structures, or piers, over the Bay. Through administrative interpretation, and informed by an Attorney General's opinion in 1970, a policy emerged whereby:

(1) Proposed development that involves no, or routine repairs to the pier or its substructure would be considered under BCDC's "shoreline band" jurisdiction and could therefore be approved without limiting the uses supported by the pier to "water-oriented" uses.

(2) Proposed development that involves the complete removal and replacement of a pier would fall within BCDC's "bay jurisdiction," and could be approved only if the new uses were those for which the Commission could authorize new fill (e.g., water-oriented uses), and if the project satisfied the "replacement pier" policies, discussed below.

The "replacement pier" policies were adopted by BCDC a few years after the *McAteer-Petris Act,* specifically to address replacement uses for the Port of San Francisco's finger piers. The *Bay Plan* provides that if the piers deteriorate or become technologically obsolete for commercial shipping or other maritime purposes, then they can be removed and replaced with "replacement fill" subject to the following limitations:

(1) the replacement fill would cover an area smaller than the area of the pier being removed;

(2) only up to 50% of area of the pier being removed could be used for Bay-oriented commercial recreation or Bay-oriented public assembly, defined as facilities specifically designed to attract large numbers of people to enjoy the Bay and its shoreline, such as restaurants, specialty shops and hotels. (*Bay Plan*, p. 37.) The remainder of the replacement fill, if any, would have to be devoted to public recreation, open space or public access.

Nearly 15 years after the replacement fill policy was adopted, the Attorney General's Office was asked for an informal opinion regarding the Commission's jurisdiction over pier development that would require substantial repairs to the pier, but not complete reconstruction. In 1986, an opinion was issued, concluding that proposed development that involves more than routine repairs to the pier or substructure would require case-by-case review. If BCDC determined that the work "tends toward creation of what is essentially a 'new' structure, . . . one that is significantly different from what existed prior to the work in terms of its utility or life expectancy or the time period that will be necessary to amortize its overall cost," then BCDC's "bay jurisdiction" would be triggered, and the uses supported by the pier would have to be "water-oriented" uses. (Attorney General's Informal Letter Opinion, dated October 8, 1986.)

Further Limitations on Port Land Use Arising from Interpretations of The McAteer-Petris Act

The Port has struggled with the implications of this interpretation of the *McAteer-Petris Act* since it was issued. At that time, there were seven piers and bulkhead buildings, in addition to the Ferry Building and the Agricultural Building, that were designated for reuse, and which would require substantial repair or reconstruction in order to establish the uses identified in the *Special Area Plan*. (Piers 40, 24, 1, 1½, 3, 33 and 35.) BCDC's *Special Area Plan*, adopted in 1975, identified uses for several of those piers that were not considered "water-oriented" uses, such as office or community facilities, on the assumption that those uses could be established without the need for complete reconstruction of a pier. When the Attorney General's Office interpreted the Act as extending "bay jurisdiction" to new development involving substantial repair to the pier structures, it became clear that the *Special Area Plan* use designations could not be realized.

The Port was concerned because the new interpretation of the *McAteer-Petris Act* effectively prohibited maritime-related office uses, otherwise a permissible public trust use, on any pile-supported structure in need of substantial repair. The affect of this ruling on the Ferry Building, the Agricultural Building, and several bulkhead buildings was of particular concern because those facilities had been constructed or long used for office purposes that

would no longer be permitted if much needed seismic retrofitting and structural repairs were undertaken. In addition, Port staff believed that the public would not support extensive development of Bay-oriented commercial recreation uses (e.g., specialty retail, restaurants and hotels) in those buildings, as well as on the many piers identified for reuse. Nor would there be market justification for extensive development of a single type of commercial use. Yet, under the replacement fill policy, commercial recreation was the only type of permitted new use that could generate sufficient revenue to carry the cost of structural and public access improvements to those facilities.

In 1987, the Port initiated an amendment to the *McAteer-Petris Act* to allow repair, replacement or reconstruction of the piers and pier structures, no larger than the pre-existing pier or structure, for purposes consistent with the public trust, provided that significant portions of the area were devoted to public access and recreation.

The Port withdrew its proposed amendment to the *McAteer-Petris Act* in the face of political opposition based on a variety of objections. In the seven years since then, BCDC acted independently to provide an exemption from the "water-oriented" use requirements for the substantial repair or reconstruction of the piers supporting the Ferry Building and Agricultural Building. BCDC took that action because it was clear that water-oriented uses could not alone pay the costs associated with the historic renovation of these important historic structures. Whether further exemptions could be approved to allow other desirable waterfront improvements also to proceed remains to be resolved for all other Port property as part of the legislative process implementing the Waterfront Plan. As the Executive Director of BCDC suggested, the best and most appropriate way for the Port and City to address those issues is through the waterfront planning process. If the effort indicates that the *Special Area Plan* or the *McAteer Petris Act* should be changed in order to implement the Waterfront Plan, then amendments should be proposed for the public, BCDC and the Legislature to consider.

Key Policy Issues to Address

Although the amendments necessary to reconcile the Waterfront Land Use Plan and the Special Area Plan, or if necessary, to amend the *McAteer-Petris Act* to give BCDC the authority to approve uses consistent with the Waterfront Plan have not been drafted yet, the following issues have been identified as requiring further policy development:

(1) Adopt policies that would facilitate removal of condemned piers by creating an economic incentive, possibly by allowing transferred development rights or another legislatively sanctioned fill credit concept, or through a mitigation measure credit for dredge spoil disposal.

(2) Adopt policies that would encourage interim use of Port facilities, recognizing

that full implementation of the Waterfront Land Use Plan could take 20 years, or more, and that interim uses of perhaps 5 years or less (in general, with special exceptions allowed) along the northern waterfront, and up to 20 or 30 years on the southern waterfront would contribute to the vitality of the waterfront while also allowing for longer range goals to be realized as time and money permit.

(3) Adopt policies that would allow and encourage retrofitting pier structures in current use with seismic safety improvements. Because such improvements could be construed to trigger BCDC's "bay jurisdiction," the improvements could not occur if the uses on the pier or in the bulkhead building are not water-oriented. Thus, current policy discourages life safety improvements to facilities that are vulnerable to seismic failure.

(4) Adopt policies that would encourage mixed-use development on piers no longer needed exclusively for water-dependent uses. The Waterfront Land Use Plan has identified Mixed-Use Opportunity Areas that include a number of those piers. However, BCDC's replacement fill policy contemplates only Bay-oriented commercial recreation, public assembly and public recreation as replacement uses. A policy that would allow other uses, consistent with the public trust doctrine, could result in potentially more vital and economically viable mixed-use development. For example, a pier reuse project that maintained the existing office uses in the bulkhead building, incorporated water-dependent uses such as excursion boats or transient boat docks on the pier apron, and integrated commercial recreation and public assembly uses with public access and recreation, would provide an alternative to the commercial-recreation model contemplated in the current replacement fill policy. Although BCDC may have authority to approve such a mixed-use project, the uncertainty resulting from the lack of an explicit policy tends to deter investors.

(5) Adopt policies clarifying the level of pier or substructure repair that would require BCDC to impose the "water-oriented" use limitations. Because BCDC does not, under current rules, review a project until after all local approvals are obtained, the position that each project must be examined on a case-by-case basis interjects too much uncertainty at a very late point in the development process. It is unreasonable to expect investors to incur expensive pre-development costs (for an environmental impact report, architectural and engineering fees, local permit fees, etc.) without knowing with certainty that BCDC has the authority to approve the proposed uses.

In addition, it is not clear if or how the replacement pier policy would apply

where the pier structure would not be removed. For example, if Scoma's restaurant required substantial substructural repairs, under the replacement pier policy 50% of the restaurant would have to be converted to public recreation. The replacement pier policy was not designed to rationally address that type of situation.

(6) Adopt policies that clarify the rules applicable to non-conforming uses that pre-date the *McAteer-Petris Act*. An argument can be made that the Act "grandfathered" such uses. If not, further clarification is required to address under which those uses can continue or intensify or if the use is to be terminated, what the appropriate amortization period should be for investments in those uses.

(7) Adopt revisions to the *Seaport Plan*, as part of the current *Seaport Plan* review process, that reflect changes related to the potential future supply of marine terminal facilities, including the availability of former military base property, consolidation of commercial shipping lines and technological changes that enhance efficient space utilization.

Although there are many reasons why Port waterside facilities have deteriorated, the policies embodied in the *McAteer-Petris Act* may be the primary determinant of the future use and development of the Port. The State government clearly has an interest in establishing a coherent policy for the effective reuse of facilities on public trust lands which the Port manages on behalf of all of the people of the State. There is a need for new land use policies to be formulated that distinguish between uses appropriate to facilities that pre-date the *McAteer-Petris Act* and uses that would justify new fill in the Bay.

Other Legislative Issues

In addition to substantive policy issues stemming from the *McAteer-Petris Act*, there are a number of other issues that will receive special attention during the legislative process of implementing the Waterfront Land Use Plan. For example, although the Draft Waterfront Land Use Plan provides for flexibility in the siting of a range of acceptable uses, the siting of certain large scale uses on Port property, such as an arena, would require additional legislative action at the local level to amend the height limit.

State legislative action also may be required in order to implement certain acceptable non-maritime uses identified in the Draft Waterfront Land Use Plan. For example, uses such as residential or general office have been identified as appropriate uses on certain seawall lot sites. Under the *Burton Act*, the Port Commission was delegated authority to declare such property "surplus" to the needs of the public trust, and lease it, for a period not to exceed 66 years, for "the purposes of such development and use as the Commission

finds to be in the public interest." (*Burton Act*, Calif. Statutes 1968, Ch 1333, as amended by Statutes 1975, Ch. 422, Section 3, Subd. 6.) However, in the context of the South Beach-Rincon Point Redevelopment program, the State Lands Commission questioned the validity of the Burton Act's legislative delegation to the Port Commission. In order to ensure that the State would recognize the leases entered into for affordable housing developments in the event that the trust grant to the City was revoked, State Lands Commission approval of the lease was required. (Public Resources Code §6701 et seq.) Therefore, in order to allow the project to proceed in a timely fashion, the Port acceded to State Lands' demand that the State Legislature be asked to specifically authorize the non-trust residential use of the property declared surplus to public trust needs.

This same issue would likely arise with respect to implementation of any non-trust use of Port property. Consequently, State legislative action, either to reaffirm and clarify the original intent of the *Burton Act* or, if necessary, to specifically authorize a lease for non-trust purposes, will likely be required to implement the Waterfront Land Use Plan.

The legislative actions necessary to implement the Waterfront Land Use Plan cannot be approved until the Waterfront Plan Environmental Impact Report is completed. However, in the intervening months, the work of drafting technical amendments and formulating policy revisions will be underway. Public hearings before City Boards and Commissions, as well as BCDC, can be held to ensure that all issues and concerns are addressed in the final Waterfront Land Use Plan and related implementing and regulatory amendments. At the same time, work can begin to reform the site-specific development process, and to initiate specific project proposals.

Site-Specific Development Process

Implementation of the Waterfront Land Use Plan requires legislative action to incorporate the Plan's policies and objectives into the existing regulatory framework, as well as a well-managed site-specific development process through which new land uses and improvements can be realized. The Waterfront Plan Advisory Board determined that plan implementation should accomplish the following objectives:

Implementation Policies

Implementation Objectives. The implementation structure for the Port's Waterfront Land Use Plan should be designed to meet the following objectives:

(1) On a broad policy level, the Plan's implementation should (1) meet the future needs of maritime activities, (2) satisfy public access and environmental concerns, and (3) enhance the financial stability of the Port.

(2) The Plan's implementation should ensure that project development is effected on a quality basis; attracting Bay Area residents and other visitors to the waterfront.

(3) The implementation process should streamline and simplify the legal compliance process by establishing consistency among all relevant waterfront plans and regulations, thus encouraging developers to undertake projects. Maximum early coordination with regulatory and permitting agencies (e.g., State Lands Commission, BCDC, City Planning Commission) should be effected for each proposed project and development.

(4) The Plan and Plan policies should be administered and applied with maximum feasible continuity and uniformity (relatively free of political influences).

(5) The implementation process should obtain popular support and maximize public input and community outreach.

(6) The implementation process should extend waterfront and employment opportunities to all segments of San Francisco's diverse cultural and ethnic community.

In the past, the process by which projects were selected and implemented often have fallen short of the objectives outlined above. First, there have been insufficient opportunities for formal public input at the inception of the development project concept. Second, there has been inadequate coordination on design review and use guidelines at an early stage in the process among local, regional and state agencies with jurisdiction over the waterfront. Third, the process has been lengthy and complex, leading to costly delays that make waterfront development a high risk venture. All of these deficiencies will be improved by achieving consensus through the legislative process on a balanced and implementable land use plan. However, there are recommendations for reforming the site-specific development process that will further the objective of improving and streamlining the process by which new waterfront improvements receive entitlement. The flow chart on p. 11a outlines the Waterfront Plan Advisory Board's recommendations for improving the site-specific development process.

In order to achieve the objectives for implementation of the Plan as set forth above, the Advisory Board recommended changes to the site-specific development process. The principal recommendations include:

(1) Establish a focus group to provide input and guidance at an early stage in the process when the feasibility of alternative development concepts is analyzed.

(2) The Port should select community representatives and other qualified individuals to serve as part of the focus group, as appropriate for the site and project concept under consideration. The size of the group should reflect the importance or complexity of the project. Waterfront Plan Advisory Board members should be included where appropriate to provide continuity with the planning process, and to benefit from their expertise.

(3) The Port and the focus group should actively encourage community participation and input prior to identifying a development concept(s) so that the feasibility analysis considers community concerns.

(4) Urban design policies and design guidelines should be considered in identifying development concepts, and, should be reflected in the specifications included in the request for proposals.

(5) Port staff should take an active role in soliciting thorough review by the Planning Department, BCDC, and other agency staffs, as appropriate, when the feasibility of potential development concepts is being analyzed.

(6) The Port Commission should hold a public hearing when it considers approving the issuance of a request for proposals for a specific development concept for a significant project, to provide an open forum for important issues to be aired before development proposals are prepared and submitted.

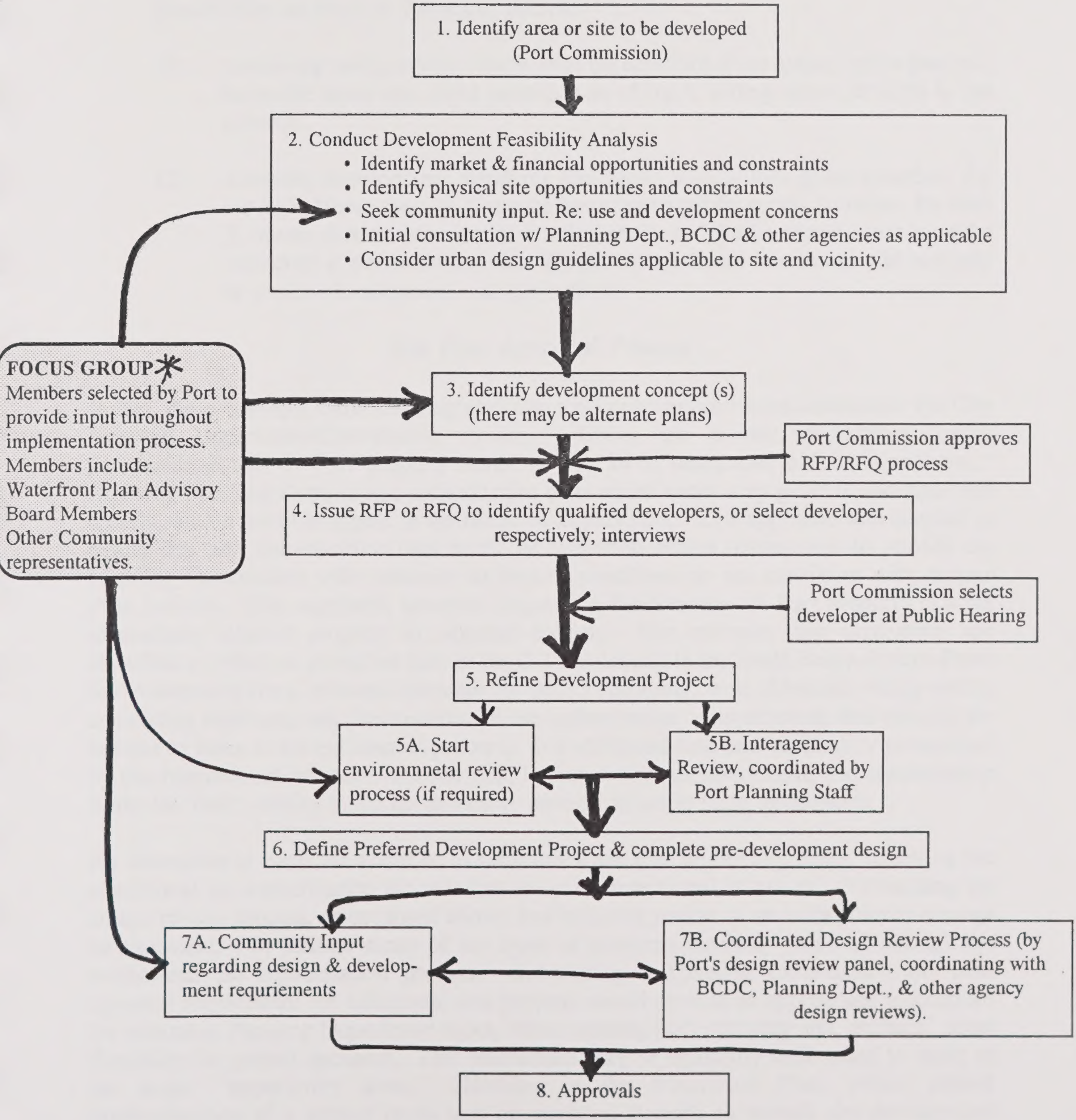
(7) Requests for proposals should be broadly distributed, and an effort should be made to extend development opportunities to all segments of San Francisco's diverse cultural and ethnic communities.

(8) Once the Port Commission selects a developer (and for larger projects enters into an agreement to negotiate exclusively with that developer), Port staff shall coordinate inter-agency involvement in the process of refining the development project program and conceptual design.

(9) Establish a design review process that avoids reliance on sequential review by each agency with jurisdiction over the site, in order to 1) minimize delay and unnecessary expenses, and 2) ensure that the concerns of the respective agencies are resolved in a satisfactory manner at the earliest possible stage of the design process.

(10) Consider developing a joint application for project review in order to simplify and unify the regulatory procedures, and expedite the approval of worthy projects.

WATERFRONT PLAN IMPLEMENTATION PROCESS


1. Identify area or site to be developed (Port Commission)
2. Conduct Development Feasibility Analysis
• Identify market & financial opportunities and constraints
• Identify physical site opportunities and constraints
• Seek community input. Re: use and development concerns
• Initial consultation w/ Planning Dept., BCDC & other agencies as applicable
• Consider urban design guidelines applicable to site and vicinity.
FOCUS GROUP✱
Members selected by Port to provide input throughout implementation process.
Members include:
Waterfront Plan Advisory Board Members
Other Community representatives.
3. Identify development concept (s) (there may be alternate plans)
Port Commission approves RFP/RFQ process
4. Issue RFP or RFQ to identify qualified developers, or select developer, respectively; interviews
Port Commission selects developer at Public Hearing
5. Refine Development Project
5A. Start environmnetal review process (if required)
5B. Interagency Review, coordinated by Port Planning Staff
6. Define Preferred Development Project & complete pre-development design
7A. Community Input regarding design & development requriements
7B. Coordinated Design Review Process (by Port's design review panel, coordinating with BCDC, Planning Dept., & other agency design reviews).
8. Approvals

✱ Focus Groups meetings would be open to the public

In addition, there are other possible reforms identified in the *Options For Change* Report, that preceded this Draft Plan, that deserve further consideration. Two possibilities set forth in the report include:

(1) Removing design review issues from the conditional use authorization process, to enable more uses to be permitted as of right, adding some certainty to the process.

(2) Adopting development standards that apply equally in a given situation, for example "there must be X square feet of open public access facilities, for each X square feet of commercial development" or "Public access areas must be improved at a cost not less than $X per square foot," in order to add certainty to project development cost projections.

Site Plan Approval Process

In fact, these concepts could be integrated into a new use authorization mechanism for City Planning Department/Commission review. Under the current regulations, every non-maritime use on Port property north of Pier 24 is designated a "conditional use," requiring Planning Commission authorization determined under very general standards and criteria, with a possible appeal to the Board of Supervisors. This approach was adopted to ensure that new non-maritime uses would be subject to design review, and to provide the Planning Commission with authority to impose conditions on use consistent with *Master Plan* policies. This approach, however, imposes a disadvantage on Port property relative to similarly situated property in adjacent districts. For example, new restaurants are classified as principal permitted uses in the C-3 district and in the South Beach-Rincon Point Redevelopment Area, whereas the same use on Port property, even if located wholly within an existing structure, requires conditional use authorization, a requirement that can add six months or more to the entitlement process. The additional time and uncertainty occasioned by this requirement increases investor risk, lowers returns on investment, and consequently limits the Port's ability to obtain favorable revenue terms in lease agreements.

An alternative to consider would be to substitute a site plan approval process, reserving the conditional use authorization for uses that are truly exceptional in nature. Formalizing the design review process, as proposed above, and initiating review at an early point in concept development, will address many of the types of concerns currently resolved through the conditional use authorization process. Substituting a Planning Commission site plan approval requirement for substantial new projects would provide an appropriate mechanism for obtaining Planning Department input, while creating both certainty and, perhaps, some flexibility for project sponsors. This mechanism may be especially well-suited to many of the larger "opportunity areas," identified in the Waterfront Plan, where phased implementation of a project could best be managed through an overall site development

program, reviewed pursuant to a site plan approval process.

Of course, a reform of this sort will require consideration and discussion by the Planning Commission and its staff. To start the discussion, it is proposed that the site plan approval requirement could be imposed whenever any of the following circumstances arise with respect to a new development proposal:

(1) Substantial modification to an existing site or structure, defined as any such improvement in excess of $1 million (subject to further discussion); or

(2) Any major (to be defined) alteration to the exterior of an existing structure, excepting repairs or maintenance necessary to restore the structure to its original or pre-existing condition, or signage and awnings consistent with City ordinances; or

(3) Any significant (to be defined) intensification of an existing use or change of use within an existing structure, if that use is not a principal permitted use within the nearest adjacent use district.

As the Waterfront Land Use Plan makes its way through the legislative process, appropriate policies and, if necessary, legislation can be agreed upon regarding the process by which site-specific development or use proposals are defined, reviewed and approved.

State Lands Commission

The State Lands Commission has oversight authority with respect to property subject to the public trust. Where the State has granted responsibilities for managing trust lands to a local agency, as is the case with Port property, the State Lands Commission does not usually become directly involved in leasing decisions for specific uses. However, State Lands Commission approval of a lease is required if the lessee wants to be assured that the State would continue to honor the lease in the event the trust grant to the local agency were revoked. (Public Resources Code §6701.) Approval therefore often is sought for projects involving a long lease term where substantial improvements are to be made to the trust property.

In reviewing leases under this statute, the State Lands Commission must make the following determinations:

(1) That such lease, contract, or other instrument is in accordance with the terms of the grant or grants under which title to the tide or submerged lands in question is held.

(2) That the proceeds of such lease, contract, or other instrument shall be deposited in an appropriate fund expendable only for statewide purposes authorized by a legislative grant.

(3) That such lease, contract, or other instrument is in the best interests of the State.

If State Lands fails to make the necessary determinations within 90 days of receipt of a complete application for review, then, unless the time period is extended by mutual consent, the lease agreement is deemed approved. In some cases, State Lands review could begin about the same time as BCDC permit review, if BCDC review is necessary. However, if BCDC's final decision were to alter the lease agreement significantly, then State Lands review would be delayed.

This additional level of review for any significant project along the waterfront, adds considerably to the already lengthy and costly local and regional approval process. Consequently, it is critical that local agency review and approval processes be as efficient as possible. In addition, in light of State budget constraints and staff reductions at the State Lands Commission, the Port should closely monitor this State review process, and identify ways of minimizing delay. An additional three months or more delay in project approval, added to an already multi-year entitlement process, could be a deterrent to investment in Port projects, especially those projects that may be less profitable because they include important public amenities.

Future Review of Waterfront Land Use Plan

Whenever there is a proposal to significantly change the status quo, it is important to build in a subsequent review process to ensure that new problems are not merely being substituted for old problems. In fact, Proposition H calls for review of the Waterfront Land Use Plan every five years to reevaluate conditions in light of the policies embodied in the initiative. Such a review process would also provide an opportunity to learn from development projects undertaken prior to that date, and to refine the development and entitlement process, through further policy amendments or legislative action, if necessary.

Financial Issues Related to Implementation of the Waterfront Plan

Funding Sources

Funding sources for Port capital projects include revenue bonds, operating revenues, operating fund accumulated surplus, grants, and general obligation bonds.

Revenue Bonds. Revenue Bonds, bonds secured by a pledge of net operating revenues of the Port, have been the Port's traditional method of financing capital projects. Revenue Bond financing amortizes project costs over the useful life of the project, matching cost and benefit. The Port currently does not have additional debt capacity, nor will it have such capacity in the future unless it identifies new revenue-generating uses for its property.

Operating Revenues. The Port's current year's budget includes only $683,000 in facilities maintenance projects and does not have the capacity to include capital projects without eliminating other essential operating items. The fiscal year 1994/95 budget projects a surplus of only $300,000.

Operating Fund Accumulated Surplus. Funds are added to surplus each year when actual revenues exceed actual expenditures. The Port currently has only $2.1 million in its operating surplus account available to fund capital projects.

The Port's Capital Plan needs are far in excess of any surplus that the Port is likely to accrue in the absence of new revenue-generating projects.

Grants. Although the Port has been very successful in recent years in obtaining grants, the availability of grant funds is limited and the Port often must compete with City and regional agencies for scarce funds. Grants also usually require at least 25% in matching funds. Although the Port continues to seek and obtain grant funds, they are not a reliable funding source for capital projects. As the competition for grants gets tighter, relying on this "revenue" source as a means to make major capital investment decisions will become an even riskier and uncertain way for the Port to run its business.

General Obligation Bonds. General obligation bonds are bonds secured by the taxing authority of the City & County of San Francisco. In the past, the Port has explored this alternative funding source with the City. The argument for the use of City tax support to fund Port projects is that the benefits of Port projects have a city-wide economic impact. On the other hand, there is long standing sentiment that the Port should be entirely self-supporting and there is little incentive to change this view because there are so many other City projects and priorities (schools, hospitals, libraries, etc.) for which there are limited funding alternatives. Today, general obligation bonds for Port purposes probably are unrealistic in light of the City's continuing budget shortfalls.

None of the Port's funding sources is likely to yield significant new capital funds in the near future.

Effect of the Waterfront Plan on the Port's Finances.

The Advisory Board, recognizing the Port's financial needs and the economic benefits it brings to the City and the region, decided to exercise its best efforts to develop a balanced and implementable Waterfront Land Use Plan that allows the Port to maintain a sound and diverse economic and fiscal structure, while continuing to provide for the needs of San Francisco's maritime industries and to provide for new public access, open space and other public benefit waterfront projects.

Towards that end, the firm of Economics and Planning Systems (EPS) was hired during the planning process to analyze the financial and economic impacts of the mix of land uses that the Advisory Board considered for the waterfront. EPS produced a computer model for the Port that incorporates potential costs and revenues associated with different land use choices. The computer model provided general financial information to assist the Advisory Board in formulating this recommended Draft Waterfront Land Use Plan. Land uses were considered first on sound planning criteria, and second with an eye towards their revenue implications. The model provided a check to guard against a plan that may not be financially viable and, might leave the Port in a worse financial state.

The Advisory Board chose and studied the financial results of several land use scenarios that could occur under the recommended Waterfront Land Use Plan. They determined that the type and level of land uses that could result from the Plan would, in aggregate, be only of marginal feasibility from a financial standpoint, yet would yield significantly better financial results than more limited development opportunities under existing regulatory conditions. As a result, the Advisory Board determined that, while the Waterfront Land Use Plan is a key component of the Port's strategy for improving the condition and enjoyment of the waterfront, it is not sufficient by itself to ensure the Port's future fiscal health. The Advisory Board concluded that the following additional strategies will be necessary to supplement the potential revenue benefits derived from the Waterfront Plan:

- Identify other funding and financing mechanisms to increase the long-range capital reserve beyond the level already assumed in the financial model analyses. (Possible sources: outside funding, operational efficiencies, possibly General Obligation Bonds, private subscriptions to help fund public projects).

- Encourage the possibility of new regional or shared organizational and budgeting arrangements such as a regional port system, or combining the Port and San Francisco International Airport, recognizing that such ventures would need to overcome significant legal, financial and political hurdles.

- Institute operational improvements such as improved marketing and leasing decisions, facility cost accounting in a computerized format (including revenues), including detailed programming for maintenance services.

- Recommend against any further transfer (or attempts thereof) of Port funds to the City's General Fund, such as the State legislation passed in 1992.

- Explore the ability of the Port to start retaining tax revenues (including property, payroll, business taxes) derived from Port tenants.

The Need for a Flexible Plan

In light of the Port's financial condition, and the rapid changes which occur in its maritime and non-maritime operations, an important conclusion has emerged and is reflected in the Draft Waterfront Land Use Plan: the Waterfront Land Use Plan should be flexible. The Waterfront Plan should permit a variety of appropriate uses to be located on Port properties that currently are under utilized or deteriorating. Such flexibility will allow the Port to more readily respond to market conditions and development opportunities as it balances the needs of existing tenancies, community concerns and management objectives.

"Flexibility" is not meant to imply that the Port will be able to single-handedly dictate the rules by which waterfront land use decisions are made. Clearly, the City Planning Commission, Bay Conservation and Development Commission and the State Lands Commission will continue to review projects for compliance with their regulations. Instead, the Port will be able to consider a wider array of uses, predetermined to be acceptable to all parties, provided that they meet the Plan's Goal, Guiding Principles, Area Objectives, General Land Use Policies and Development Standards outlined in the Plan. The objective is to allow the Port to more effectively manage its property than in the past, within a framework of streamlined and coordinated land use policies, controls and processes.

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Appendix A

BACKGROUND ANALYSIS FOR WATER-DEPENDENT ACTIVITIES

A key priority of the waterfront planning process was to ensure that Port lands were first reserved for the existing and future land use needs of the Port's water-dependent activities. Water-dependent activities -those that require access to water in order to function - include cargo shipping, ship repair, passenger cruise, excursion boats and ferries, recreational boating and water use, historic ships, fishing, and temporary and ceremonial berthing. The land use needs of these industries were determined following a year of intensive, industry-by-industry evaluations and public workshops. Approximately 70% of the Port's properties have been reserved to meet the future needs of water-dependent activities. Below are brief summaries of these industries, taken from more detailed profiles prepared by Port staff, and from statements of facts and issues based on the profile reports and workshops with industrial representatives. These additional documents are available from the Port of San Francisco upon request. Following the summaries of the industries is a brief summary of dredging and its impacts on maritime operations at the Port of San Francisco.

Cargo Industry

Twenty-six years ago the "containerization" of cargo, whereby freight is pre-loaded into standard size boxes (as compared to "break-bulk" cargo which is freight that is made up of similar sized pieces loaded loosely or on palettes), began a revolution in shipping that has had dramatic impacts on most older waterfront cities, including San Francisco. Deregulation of transportation industries in the U.S. then paved the way for water, rail and motor carriers to work together in creating total transportation packages. The container provided an easily exchangeable conveyance between the different transport modes. As a result of deregulation and containerization, intermodal movement of international shipments has flourished during the last two decades. In San Francisco, these historical trends led to the shift in cargo shipping activity away from the break-bulk facilities on finger piers in the northern waterfront to the modern container facilities in the southern waterfront.

In the future, containerized cargos are projected to further dominate San Francisco Bay Area maritime trade. The draft traffic forecast for the 1994 Seaport Plan update predicts over a four-fold increase in containerized cargo between 1990 and 2020, which accounts for approximately 80% of the total growth in dry cargo. At the same time, break-bulk cargo is projected to have little or no growth. These forecasts assume that the Bay Area will continue to compete successfully with other West Coast ports, especially Long Beach and Los Angeles.

San Francisco's share of the regional growth forecast in container cargo trade is dependent upon a number of variables, including shipping line operations, actions by regulatory agencies, availability of capital to meet infrastructure requirements, and ability to increase productivity at marine terminals. Although all of these variables can be influenced by the Port of San Francisco, few are completely within the Port's control. Some of the factors that will determine the future of container shipping in San Francisco include:

- ***Competitive Access***. By virtue of its geographical location, San Francisco does not have the same access to inland locations as the Port of Oakland or other East Bay ports. Cargo moving by truck to or from east bay locations must travel on the Bay Bridge, adding some time and expense as well as load limitations. Rail service is provide by only one line, Southern Pacific. Shipping companies have expressed a strong desire to locate where two or more railroads are able to provide service in order to experience the benefit of a competitive market for services. While the Port cannot change its location, studies are underway to determine what, if any, mitigating actions could be taken to make San Francisco more competitive with the East Bay.

- ***Rail Line Access and Congestion.*** The Southern Pacific rail line is located on the Peninsula Commute Service (PCS) corridor which is owned by the Peninsula Corridor Joint Powers Board (JPB). This double track rail line currently handles 60 commuter trains per week day traveling between San Francisco and San Jose. Freight rail operations are permitted daily except during morning and afternoon peak commute hours. However, if both container cargo operations and commuter rail usage are projected to grow, conflicts will occur.

- ***Double-stacked Intermodal Rail Service***. The economics of intermodal service favor ports that have the capability to allow containers to be double stacked on rail cars directly off the ship, which increases the capacity of a train without adding to its length. Although the Port is the only Northern California port with on-dock rail facilities and an on-dock rail yard, commonly known as the ICTF (intermodal container transfer facility), trains from the Port must go through two tunnels that lack sufficient vertical clearance to accommodate double-stack rail cars when loaded with the tallest containers in use today. Port funds have been allocated for the tunnel clearance project, and final engineering work is already fifty-percent completed. Project implementation cannot begin until negotiations are completed with the Southern Pacific Railroad and the Joint Powers Board. Once these improvements to the tunnels are completed, San Francisco will be able to offer more competitive freight services.

- ***Consolidation of Shipping Lines.*** Changes in the relationship between carriers, either by contract or through merger and acquisitions, to improve the frequency and efficiency of service could result in either large gains or large losses for the Port of San Francisco. Recently, the Port has experienced the loss of three small carriers which are entering into a joint venture arrangement. Since the Port of Richmond is more conveniently located for one of the shipping lines, the other two will follow. While trends toward increased volumes of cargo are positive, not all Ports will share equally in capturing new business.

- ***Preferential Assignment of Terminals to Carriers.*** There is a developing trend among large carriers to own or control their own marine terminal. Historically, no one carrier has controlled either of the Port's two container terminals. Rather, stevedore companies have competed for the right to operate the terminals as public facilities for a combination of ocean carriers. The Port is the only Bay Area port with the capacity in the next five years to offer

long-term preferential assignments of its container terminal to selected ocean carriers. This trend offers San Francisco a marketing advantage in the near term.

Container Terminal Facilities. The Port has two major container terminals located at Piers 80 and 94/96. Both terminals primarily handle container cargo, but have the capability for break-bulk, container freight station operations (stuffing and unstuffing of containers) and transloading (transfer of cargo from one mode to another, e.g. between boxcar and container).
In the past two years, the Port has lost 10 container shipping lines. Among the more significant of these is the discontinuation of Nedlloyd's hub service between Central and South America through San Francisco to the Far East because it was not able to provide competitive transit times to its customers. The joint container service of Columbus and Blue Star Line moved to Oakland, in order to have all of their terminal services provided by a single company, only located in Oakland, in all three port regions of the West Coast. The largest of these losses, COSCO, intended to carry a much larger portion of intermodal cargo and found Oakland's rail access better suited to its needs.

Container operations depend heavily on economies of scale. Due to the recent losses of shipping lines, terminal operators at both North and South Terminals have had difficulty maintaining profitability. In fact, Metropolitan California Stevedore Company recently was forced to cease container operations in Northern California, effectively closing the North Container terminal at Pier 80. Several smaller shipping lines were lost to other Bay area ports in the transition, although one small Latin American service, Maruba Line, has agreed to transfer operations to Pier 96.

With only five shipping companies remaining at the Port of San Francisco, the terminal facilities are operating at 13% percent capacity. Operating revenues generated from cargo shipping have fallen from $10 million in 1990 to an expected $3 million in 1995/96. While the Port is making changes that it hopes will attract new business, the Port's existing terminals have sufficient capacity to accommodate growth in the foreseeable future.

Ship Repair

The ship repair industry has long been an important source of blue collar employment in the San Francisco Bay Area, providing high paying jobs and historic ties to the San Francisco waterfront and maritime industries. Over the last decade, however, the ship repair industry has steadily declined, reflective of industry trends nationwide.

In the 1960's, the ship repair industry employed some 20,000 workers at over 15 different companies in San Francisco. The employment base of the industry now stands at approximately 450 full time positions with a maximum of another 1,000 "seasonal workers" serving the industry in San Francisco. Most of these workers are employed by the two remaining full-service ship repair companies: San Francisco Drydock and Service Engineering Company.

Two of the major reasons that are most often given for the decline for the industry are foreign competition and the decline in the number of active military ships.

***Foreign Competition*.** During the 1960's the U.S. ship repair industry grew dramatically as the result of repairs necessary on both military and commercial vessels. After the Vietnam War, in order to keep a level of combat readiness to build and repair ships, the U.S. government provided subsidies to ship repair companies in the United States. These subsidies were reduced and eventually eliminated in 1981. Most foreign countries have not followed suit, and continue to maintain a level of subsidy to their shipbuilding and ship repair industries. The elimination of subsidies by the U.S. government has put U.S. ship building and repair operations at a considerable disadvantage in the commercial market.

***Military Spending*.** With the decline of the commercial ship repair industry in the U.S., ship yards were forced to rely on military contracts. The downsizing of the military over the past twenty years, however, has led to a dramatic reduction in expenditures for ship repair work. In addition, major U.S. Naval facilities at Alameda and at Mare Island in Vallejo have recently been slated for closure, further reducing the demand for ship repair work.

The ship repair industry in San Francisco will have to be able to attract additional commercial business in order to survive. For example, San Francisco Drydock began transitioning its business from the governmental market to the commercial market in 1987. In the last 7 years, it increased its percentage of commercial business from 10% to 70%. The ability to continue to attract this business will depend in part upon factors outside the control of individual companies or the Port, such as the discontinuation of subsidies provided for the industry in other countries.

In response to the decline of the ship repair industry, the Board of Supervisors approved a seven point program in 1991 to help San Francisco ship repair companies become more competitive in the commercial sector. The plan recommends that the Port waive most dockage fees and provide rent credits to ship repair companies to fund much-needed improvements to their facilities. In response, the Port has reduced rents and established an employee training facility at Pier 70. Although the seven point survival plan represents a creative attempt by local policy-makers to revitalize the ship repair industry, it could have significant costs for the Port that may or may not be offset by higher revenues generated by the industry.

Passenger Cruise Industry

San Francisco's reputation as a world class tourist destination makes it a desirable port of call for cruise lines. Nevertheless, two important obstacles have precluded San Francisco's significant growth and rise to preeminence in the cruise market. First, San Francisco's central location on the west coast places it 1-2 sailing days further away from major cruise destinations, such as Alaska and Mexico, in comparison to Southern California and Vancouver. Second, the U.S. Passenger Service Act prohibits foreign flagged vessels from carrying passengers between

U.S. ports. Since the vast majority of deep sea cruise vessels are foreign flagged (only two are U.S. flagged) this law prevents most cruise lines from offering itineraries that would carry passengers one way between San Francisco and other U.S. cities along the coast. Attempts are underway to amend this Act to improve the competitive position of U.S. ports in this industry. Without it, the San Francisco's potential for growth in the traditional cruise market is limited. On the other hand, there are other cruise industry trends that could potentially increase the amount of cruise ship activity in San Francisco. A wide variety of new types of cruises are being considered, including "cruises to nowhere" or gambling cruises (currently prohibited by California, but not federal law), coastal cruises between U.S. cities and auto/ferry cruises. In 1994, the Port will host 14 passenger lines and anticipates notable growth in revenues from cruise ship operations in the next few years because of more round trip cruises between San Francisco and Alaska.

San Francisco's existing cruise terminal at Pier 35 provides two berths that could serve more than 200 ship calls per year. Recently, ship calls have averaged about 38 calls per year. Although San Francisco has excess berthing capacity, Pier 35 has several major shortcomings as a cruise passenger terminal. Physical constraints due to the narrow width of the pier (200 feet), prevent efficient ship servicing and negatively affect passenger flow, particularly when two ships are in port. Furthermore, there is no clearly delineated passenger drop off and pickup area, and many cruise passenger and officials consider the terminal drab, unattractive and uninviting. Finally, Pier 35 needs frequent dredging to maintain water depth sufficient to accommodate deep draft vessels. As discussed more below, the cost of dredging is becoming prohibitive. In sum, cruise industry experts consider San Francisco's terminal to be inferior to most others in the United States. And, from the perspective of San Franciscans, the Pier 35 terminal lacks any public access or viewing areas from which residents can safely observe the fascinating cruise operations.

The trend in new cruise terminal developments has been to integrate ancillary commercial activities to help offset the costs of constructing and operating new terminal facilities, as well as provide year-round public enjoyment despite the seasonal nature of cruises. New cruise terminals in North America have included commercial facilities such as hotels, convention and conference space, retail shops, restaurants and parking garages.

Excursion Boat Industry

Due to the size and strength of its visitor industry, San Francisco is the center of the Bay Area excursion boat industry. This industry is divided into four basic types of operations: dining cruises, sight-seeing or tourist cruises, recreational riders on commuter ferries and small charters. There are approximately 5 larger excursion boat companies operating in San Francisco, along with approximately 50 small charter boats. The larger excursion boat companies command a total of approximately 17 vessels. The total number of excursion boat passengers in San Francisco last year exceeded 1.5 millon.

Overall, the financial condition of the excursion boat industry is fairly good, despite the current recession. The existing large operators at the Port have seen modest increases is in sales volumes over the past five years. On the other hand, smaller operator's revenues have remained fairly flat. Most of the current operators appear to have additional capacity on their existing vessels, with the exception of popular recreational tours, such as trips to Alcatraz and Angel Island during the summer.

However, existing excursion boat operators need additional facilities to meet current requirements. Locational requirements depend upon the market segment being served. Generally, visitor-oriented excursions should be located in Fisherman's Wharf and excursions oriented to convention or business groups should be near Downtown. In addition, excursion operations need parking, particularly for dinner cruise patrons who often return from cruises late at night, truck catering and loading access, and ancillary space for food preparation, storage and vessel repair.

Fishing

Fisherman's Wharf is the home of the Bay Area's fishing fleet and fish handling industry, which includes wholesale buying and selling of fish, fish filleting, and sorting and distribution for local and regional consumption. About 20 million pounds of fish -- crab, salmon, herring, shrimp, squid, abalone, mackerel, halibut and sole -- come through the Port annually, although the majority of fish handled at the Wharf is transported in and out by truck. A significant amount of fish trading occurs on Jefferson Street in the very early morning hours, before tourist activities take over the area.

Although always a fairly cyclical industry, recent environmental conditions have greatly reduced the available fisheries resources, which in turn has greatly reduced the economic health of the industry. At the same time, more stringent federal sanitation and safety regulations for fish handling will require costly infrastructure improvements.

The growth potential in the fishing industry varies depending on the particular activity. Fish handling and distribution activities of the type that occur at the Wharf have the greatest growth potential, especially once modernized facilities are available to the industry to help them meet new sanitation standards. The growth potential of the sport fishing industry is less clear, primarily because of the decrease in the salmon fisheries and the lack of inexpensive parking at the Wharf for patrons. New fishing and environmental regulations adopted with the goal of improving fisheries, and better marketing and parking arrangements could help the industry considerably.

In general, the fishing industry facilities at the Wharf are in poor condition. The berthing system was designed to serve out-dated fishing vessels and are inadequate by today's standards, particularly in terms of accessibility, security, protection from surge and availability of parking, storage and support services. The fish handling facilities were either damaged by the Earthquake or, in the case of historic Fish Alley, were designed to meet the needs of fish handling business

many years ago when businesses operated on a much smaller scale.

The Port, with the active support of the fishing industry and the Fisherman's Wharf community, initiated the "Seafood Center Project" to meet the physical infrastructure needs of the fishing industry, including new berthing and modernized fish handling space. New fish handling facilities on Pier 45 are now under construction, and environmental review has begun on the new berthing facilities while additional funds are sought to construct the harbor.

Commuter Ferry Operations

In the 1920s and 30s, the Ferry Building was said to be the world's second busiest terminal, behind London's Charing Cross Station. More than 170 ferries arrived and departed each day from eight berths, with approximately 50 million riders per year passing through its gates. The completion of the Golden Gate and Bay Bridges in the late 1930s caused a dramatic reduction in the once thriving passenger and cargo ferry industry, rendering many of the Port's finger piers obsolete. Ferry service from the Ferry Building was discontinued in 1958.

Today ferries dock at Pier 1/2 just north of the Ferry Building and at Ferry Plaza, behind the building. Although in recent years there has been a resurgent interest in ferries, ridership remains modest compared to historic levels. Nevertheless, commuter and recreational riders made approximately 2.8 million ferry trips last year, and this number is expected to grow to over 4 million over the next decade according to the Metropolitan Transportation Commission (MTC). Interest in non-commuter waterborne modes of transit, such as water taxis and an airport hovercraft, also has been rising as local roads and highways become more congested.

Two critical factors that will determine the ultimate growth of commuter ferry ridership are: 1) changes in the technology of ferry boats, and 2) the continuation of operating subsidies. If breakthroughs in ferry technology lead to a reduction in commute times, and if the price of a ride is competitive with other forms of transportation, then demand will continue grow for new facilities. The entire Bay Area regional ferry system is centered at the Ferry Building, where all existing and proposed commuter routes terminate. But, as Mission Bay and other new waterfront neighborhoods emerge, smaller ferries or water-taxis could become a popular means of traveling along other parts of the waterfront.

The Port has received over $10 million in state and federal grants to upgrade and expand ferry facilities at the Ferry Building. The Ferry Terminal upgrade project currently underway involves an additional landing barge, reconfiguration of deck areas, construction of a breakwater to allow safe installation of the additional barge, covered waiting areas, signage and passenger drop off and pick up areas. All of this work is being closely coordinated with the plans for the renovation of the Ferry Building. Renovation of the Ferry Building as a regional transportation complex emphasizing waterborne transportation may require a significant public subsidy.

Historic Ships

In San Francisco historic ships are concentrated at the San Francisco Maritime National Historic Park on the Hyde Street Pier at Fisherman's Wharf. This floating national park attracts 150,000 visitors each year. On the east side of Pier 45, the USS Pampanito also attracts 200,000 visitors each year. And approximately 450,000 visitors each year go to the Maritime Museum in nearby Aquatic Park. Like the excursion industry, the market for historic vessels is significantly enhanced and dependent on the presence of the City's large number of visitors. As a result, historic ship berths at Fisherman's Wharf, with its higher level of foot traffic, are currently more desirable than berths located elsewhere along the waterfront. Berths with direct visibility from The Embarcadero are most attractive of all. An exception to this general rule is the historic ferry Santa Rosa at Pier 3, which is used for maritime offices and special events not requiring a highly visible location.

Much like the excursion boat market, growth in the visitor industry should generally result in growth in the number of potential customers touring historic vessels. Operators of the historic vessels have identified a need for additional facilities to accommodate anticipated growth in the number of visitors, and to address deficiencies in existing facilities. In particular, the National Park Service has three ships temporarily berthed in Sausalito and one at Fort Mason because there is no room for them at the Hyde Street Pier. At Fisherman's Wharf, the parking shortage is a disadvantage for the Maritime Park. Bus tours visiting the Park have difficulty loading and unloading and finding layover parking. Exhibition display space, storage and support facilities, such as a space for boat repair shops and restrooms for visitors, are also in short supply. Also, historic ships used for offices and special events need parking for visitors.

The Port's revenue stream from historic ships is not sufficient to cover the capital improvement costs necessary for placement of additional historic vessels. In light of the Port's weak financial condition, it is doubtful that the Port can subsidize historic vessels. On the other hand, historic ship berths could be provided as a component in a mixed use, maritime-oriented commercial development. For example, the Ferry Building area would be ideal for such an amenity because of the area's large numbers of pedestrians and outstanding public transit service.

Recreational Boating and Water Activities

San Francisco Bay is one of the most exhilarating places in the world for recreational boating and water activities, including cruising, racing, kayaking, swimming, windsurfing, rowing and sailing.

During the early 1980s, two marinas were built on Port property, at Pier 39 and the South Beach Harbor. Today, high capital costs and uncertain revenue streams make marina development risky without supporting commercial uses. As evidenced by the South Beach Harbor marina, revenues raised from berthing rentals alone may be insufficient to support the costs of new

marinas. Commercial development in conjunction with marina development provides additional revenue to help the financial feasibility of the overall project. Marinas, in turn, attract visitors and customers for adjacent commercial development.

The demand for new berths has slowed in recent years, and the number of registered pleasure boats in San Francisco actually declined from 1975 to 1991. Nevertheless, the market for recreational boating has remained fairly stable, and there are opportunities for expansion due to the aging "baby-boomer" generation with increased disposable income and leisure time. In the meantime, there is an acute shortage of slips for boats less than 26 feet in length. The waiting list for smaller slips at the South Beach Marina is over 100 years long. As a result, small boat owners often "overpay" for larger berths than they actually need.

In recent years, San Francisco has become increasingly popular as a sailing destination for short term visits and excursions, raising demand for short term berthing particularly during holidays and weekends. There is a consensus among the boating community that San Francisco should offer more opportunities for free or inexpensive buoys and floating docks for temporary berthing or mooring. Such facilities are most desirable near waterfront restaurants and public attractions. New commercial establishments could provide such facilities, enticing new patrons while also providing waterfront projects with a maritime ambience. However, the potentially high cost to comply with the American Disabilities Act and protect property owners from general liability exposure may impede provision of these berthing and mooring facilities at a low cost.

Currently, the City only has one public launch facility for trailerable boats and non-motorized small craft, and it is in poor condition. On busy days in the summer months, there can be as many as thirty boats on trailers waiting to gain access to this one facility. In addition, there is insufficient off-street parking for boat trailers near the launch, and there is insufficient dry storage for small boats. Additional facilities also are required to meet the boat repair and haul out needs of recreational boaters. Public funding for these improvements is difficult to obtain. However, small boat facilities such as a public launch could conceivably be funded as a condition of other waterfront projects. For example, facilities for launching small boats could be developed in tandem with businesses supplying food, equipment, bait and or sailing lessons.

Temporary and Ceremonial Berthing

The Port receives requests for temporary and ceremonial berthing facilities from ships, commercial fishing boats, yachts and pleasure boats, as well as from the U.S. Coast Guard and Navy, the National Oceanic and Atmospheric Association and foreign navies. These ships berth for time periods ranging from a few hours to a few weeks, depending on whether they are calling at the Port to load and unload materials, make minor repairs, provide shore visits for crew members or ship visits for the public, or layover between assignments. While the number of temporary berthings has been relatively stable in the past few years (130 in 1990, 137 in 1991, 139 in 1992, and 134 in 1993) the rate at which they will occur in future years is difficult to predict.

The Port also provides berthing for ceremonial ships. Despite the Port's favorable location and San Francisco's reputation as an international cultural and tourist center, demand for this use has been erratic because promotional and special events are not routine. In recent years, the demand for ceremonial berthing varied from 45 visits in 1990, to 78 in 1991.

In order to accommodate the full range of temporary and ceremonial vessel needs, berthing facilities ideally should include truck access and turnaround areas, utilities, strong pier substructures and fender systems, parking, and security. Because of the irregularity of demand for these facilities, and the limited revenues to support improvements and maintenance, these activities are best accommodated through facilities shared with other users. Although revenues from this activity may not be sufficient to fund improvements, this use would be an ideal attraction and complement to mixed use projects on the waterfront.

Dredging

Although the Port is a naturally deep harbor, annual dredging is required to maintain berth and channel depths. Regulations governing dredging have recently become more complex and costly. Because of the decreased capacity at existing in-bay disposal sites and growing concerns about the potential environmental impacts of dredging, the entire Bay Area faces limitations on the ability to dredge in the near - and long-term future. A $16 million regional "Long-Term Management Strategy for Dredged Material Disposal" ("LTMS")is underway to establish a 50 year strategy and alternatives for disposing of dredged materials in the most economical and environmentally sensitive way. The conclusions so far indicate that while ocean and upland disposal alternatives may provide new capacity, future testing and disposal costs will be far more expensive than in the past. For example, in 1991/92 dredging costs for newsprint cargo shipping operations at Piers 27-29 went from 6% of total revenues for in-bay disposal to about 85% of total revenues for upland disposal.

In the meantime, the Port of San Francisco has reduced its annual dredging to serve only those facilities that have urgent and immediate needs. As a result, the Port has had to relocate cargo shipping tenants from the Port's China Basin break-bulk terminal to other marine terminals, and the China Basin terminal will most likely be re-leased for uses that do not require deep water access.

These recent examples indicate the potentially devastating land use and financial impacts the Port faces with respect to dredging. In addition, the Port is now required to fund water quality regional monitoring programs and new permit fees. New opportunities to generate revenues must be found to help offset the increasing dredging costs associated with maritime operations.

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TEXT OF PROPOSED ORDINANCE
PROPOSITION H

Be it ordained by the people of the City and County of San Francisco that the Administrative Code is hereby amended by adding a new Chapter as follows:

Section 1 - Findings and Declaration of Policy

The people of the City and County of San Francisco find and declare:

a. Whereas, the waterfront of San Francisco is an irreplaceable public resource of the highest value;

b. Whereas, the most beneficial and appropriate use of the waterfront is for purposes related to and dependent on their proximity to San Francisco Bay and the Pacific Ocean, such as maritime uses, public access to, and restoration of, San Francisco Bay;

c. Whereas, San Francisco holds the waterfront in Trust for the People of California;

d. Whereas, maritime uses, public access to, and restoration of San Francisco Bay serve San Francisco residents, and provide significant economic, social and environmental benefits to San Francisco and its residents, including a diversity of employment opportunities and better access to a healthier San Francisco Bay;

e. Whereas, the waterfront contains structures of historical and architectural importance;

f. Whereas, it is poor planning to approve waterfront land uses on an ad hoc basis, rather than as part of a comprehensive waterfront land use plan;

g. Whereas, it is in the interest of San Francisco to develop a strong and economically vital waterfront with adequate public access to and restoration of San Francisco Bay; and

h. Whereas, changing conditions in the maritime industry such as deeper draft vessels and increased awareness of the negative environmental impacts of dredging and dredge-spoil dumping indicate that cargo handling at the Port of San Francisco could increase dramatically;

Therefore the people of San Francisco declare that it is the policy of the City and County of San Francisco that:

a. the waterfront be reserved for maritime uses, public access, and projects which aid in the preservation and restoration of the environment;

b. where such land uses are infeasible or impossible, only acceptable non-maritime land uses as set forth in this ordinance shall be allowed;

c. a waterfront land use plan shall be prepared (as set forth in Section 2 of this ordinance) to further define acceptable and unacceptable non-maritime land uses and to assign land uses for specific waterfront parcels.

Section 2. - Land Use Planning Process

a. Upon adoption of this initiative, the Board of Supervisors shall within 30 days request the Port Commission to prepare a "Waterfront Land Use Plan" which is consistent with the terms of this initiative for waterfront lands as defined by this ordinance. Should the Port Commission not agree to this request within 30 days of the Board of Supervisors request, the Board of Supervisors shall have 30 days to designate a different City agency or department to prepare the "Waterfront Land Use Plan".

b. The agency drafting the "Waterfront Land Use Plan shall consult the City Planning Commission to ensure development of a plan consistent with the City's Master Plan. The final plan and any subsequent amendments thereto shall be subject to a public hearing conducted by the City Planning Commission to ensure consistency between that plan and the City's Master Plan.

c. The "Waterfront Land Use Plan" shall define land uses in terms of the following categories:
1. Maritime land uses; 2. Acceptable non-maritime land uses; and 3. Unacceptable non-maritime land uses.

Land uses included in these categories which are not part of the initial ordinance shall be added to Sections 3 through 5 of this ordinance as appropriate. No deletions from Sections 3 through 5 shall be allowed unless approved by the voters of San Francisco;

d. No City agency or officer may take, or permit to be taken, any action to permit the new development of any non-maritime land use (except those land uses set forth in Section 4 below) on the waterfront until the "Waterfront Land Use Plan" has been completed. Non-maritime land uses existing, or which have all their necessary permits, as of January 1, 1990 shall be exempt from this limitation.

e. The "Waterfront Land Use Plan" shall be reviewed by the agency which prepared it or by such other agency designated by the Board of Supervisors at a minimum of every five years, with a view toward making any necessary amendments consistent with this initiative.

f. The "Waterfront Land Use Plan" shall be prepared with the maximum feasible public input.

Section 3. – Maritime Land Uses

Maritime Land Uses include but are not limited to:

a. Maritime cargo handling and storage facilities; b.Ship repair facilities; c. Fish processing facilities; d. Marinas and boat launch ramps; e. Ferry boat terminals; f. Cruise ship terminals; g. Excursion and charter boat facilities and terminals; h. Ship berthing facilities; i. Maritime construction and maritime salvage facilities; j. Marine equipment and supply facilities; k. A list of additional maritime land uses developed as part of the Waterfront Land Use Planning process shall be included in the "Waterfront Land Use Plan" and added to this section.

Section 4. – Acceptable Non-maritime Land Uses

Acceptable non-maritime land uses include but are not limited to:

a. Parks; b. Esplanades; c. Wildlife habitat; d. Recreational fishing piers, e. Restoration of the ecology of San Francisco Bay and its shoreline; f. Transit and traffic facilities; and g. A list of additional acceptable non-maritime land uses developed as part of the Waterfront Land Use Planning process shall be included in the "Waterfront Land Use Plan" and added to this section.

Section 5. – Unacceptable Non-Maritime Land Uses

a. Criteria for Consideration in Determining Unacceptable Non-maritime Land Uses
Criteria to be considered in making findings regarding the acceptability of any specific land use on the waterfront shall include but are not limited to:

1. Does the land use need to be located on the waterfront in order to serve its basic function? 2. Is the land use compatible with existing or planned maritime operations on surrounding parcels if any? 3. Does the land use provide the maximum feasible public access? 4. Does the land use improve the ecological balance of San Francisco Bay? 5. Does the land use protect the waterfront's architectural heritage? 6. Does the land use represent the best interests of the people of the City and County of San Francisco and/or State of California?

b. Prohibition of Unacceptable Non-maritime Land Uses

No City agency or officer may take, or permit to be taken, any action to permit the development of any unacceptable non-maritime land use (as set forth below) on the waterfront.

c. Listing of Unacceptable Non-maritime Land Uses
The following land uses are found to be unacceptable non-maritime land uses:

1. Hotels

The City finds that hotels do not need to be located on the waterfront, and permitting their development on the waterfront will displace or preclude maritime uses;

The City finds that waterfront hotels do not provide the economic benefits provided by maritime employment;

The City finds that waterfront hotels do not provide high quality public access to, or permit restoration of, San Francisco Bay;

The City finds that waterfront hotels do not serve the needs of San Francisco or its residents;

The City therefore finds that hotels are an unacceptable non-maritime land use and shall not be permitted on the waterfront.

2. A list of additional unacceptable non-maritime land uses developed as part of the Waterfront Land Use Planning process shall be included in the "Waterfront Land Use Plan" and added to this section.

d. Grandfathering of Existing Unacceptable Non-maritime Land Uses.

This initiative shall not prevent any unacceptable non-maritime land uses existing as of January 1, 1990 from continuing in operation or expanding on its existing site in a manner consistent with all other applicable laws regulations. At such time as a new land use is proposed for the site of a business existing as of January 1, 1990 that new land use must meet the conditions set forth in this ordinance.

Section 6. – Definitions

a. "City agency or officer" means the Board of Supervisors, and all other city commissions, boards, officers, employees, departments or entities whose exercise of powers can be affected by initiative.

b. "Action" includes, but is not limited to:

1. amendments to the Planning Code, and Master Plan; 2. issuance of permits or entitlement for use by any City agency or officers; 3. approval, modification or reversal of decisions or actions by subordinate City agencies or officers; 4. approval of sales or leases pursuant to Section 7.402 and 7.402-1 of the Charter of the City and County of San Francisco; 5. approval of or amendments to Redevelopment Plans; and 6. any other action, including but not limited to projects as defined in Public Resources Code Section 21065.

c. "Waterfront" means land transferred to the City and County of San Francisco pursuant to Chapter 1333 of the Statutes of 1968, as well as any other property which is owned by or under the control of the Port Commission of San Francisco, and which is also in any of the following areas:

1. piers;

2. the shoreline band as defined in Government Code Section 66610(b), between the Golden Gate National Recreation Area and the intersection of The Embarcadero and Berry Street, except for the area south of Jefferson Street between Hyde Street and Powell Street.

3. the shoreline band as defined in Government Code Section 66610(b), in the area bounded by San Francisco Bay, Berry, Third, and Evans Street, Hunter's Point Boulevard, and a straight line from the intersection of Hunter's Point Boulevard and Innis Avenue to the intersection of Carroll Avenue and Fitch Street; and

4. the area south of Pier 98 in which all new development is subject to the Shoreline Guidelines, as shown on Map 8 (Eastern Shoreline Plan) of the Recreation and Open Space Element of the San Francisco Master Plan, in effect as of January 1, 1990.

d. "San Francisco Bay" means the area defined in Government Code Section 66610(a) which is in the City and County of San Francisco, except for areas west of Third Street.

e. All references to public roads are to their alignments as of January 1, 1990.

f."Hotel" means any use falling within the definition in Section 314(g) of the San Francisco Planning Code in effect as of January 1, 1990; any waterside hotel having docks to accommodate persons traveling by boat; or any facilities for providing temporary or transient occupancy. This shall not include boat berths which are provided for temporary moorage of boats.

Section 7. – Implementation

Within 180 days of the effective date of this ordinance, the City and County shall:

a. amend its Master Plan, Planning Code, and other relevant plans and codes in a manner consistent with this ordinance;

b. request and apply for conforming amendments to all applicable state and regional plans and regulations; and

c. begin preparation of the "Waterfront Land Use Plan" required under Section 2 of this ordinance.

Section 8 – Severability

If any portion of this ordinance, or the application thereof, is hereafter determined to be invalid by a court of competent jurisdiction, all remaining portions of this ordinance, or application thereof, shall remain in full force and effect. Each section, subsection, sentence, phrase, part, or portion of this ordinance would have been adopted and passed irrespective of the fact that any one or more sections, subsections, sentences, phrases, parts or portions be declared invalid or unconstitutional.

Section 9. -- Amendment and Repeal

No part of this ordinance or the amendments made pursuant to Section 7 hereof may be amended or repealed except by a vote of the electors of the City and County of San Francisco, except for those additional listings provided herein in Sections 3, 4 and 5.

Section 10. -- Chaptering of this Ordinance

After the adoption of this ordinance the Clerk of the Board of Supervisors shall assign a Chapter number to this ordinance and shall renumber the sections of this ordinance in an appropriate manner.

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APPENDIX C

GLOSSARY OF TERMS

Bay Oriented Commercial Recreation and Public Assembly Uses -- Facilities specifically designed to attract large numbers of people to enjoy the Bay and its shoreline, such as restaurants, specialty shops and hotels. (*San Francisco Bay Plan*, p. 36)

Break-Bulk Cargo -- Cargo consisting of similar sized pieces which are loaded in crates or on pallets.

Bulk Cargo -- Cargo which is loaded in loose holds, compartments or tanks of a ship.

Bulkhead Buildings -- The two-story buildings at the front of many of the piers along the Embarcadero, which were built on top of the "bulkhead" (or seawall).

Burton Act -- State legislation that sets the terms and conditions for the transfer of Port property to the jurisdiction of the City and County of San Francisco, and subject to control and management by a local Port Commission. (*California Statutes*, Chapter 1333, 1968.)

California State Lands Commission -- A State agency with jurisdiction over the lands granted in trust to the Port of San Francisco. Commission staff monitors Port activities and projects to ensure compliance with the *Burton Act* (legislation that transferred Port lands to the City) and the public trust doctrine.

Container Cargo -- Cargo which is pre-loaded into standard sized boxes.

Fill -- As defined in the *McAteer-Petris Act* which created the Bay Conservation and Development Commission, fill means "earth or any other substance or material including pilings or structures placed on pilings, and structures floating at some or all times and moored for extended periods, such as houseboats and floating docks."

Maritime -- A general term used to describe industrial or commercial activities related to water-borne commerce and navigation.

Maritime Support -- Businesses or activities that provide support services to water-dependent industries such as tug and tow operators, cargo sourcing and warehousing, trucking, etc. Support services can be water-dependent (eg. tug boats) or non-water dependent (eg. trucking).

Non-Water Dependent Activities -- Activities and land uses that do not require access to the water in order to function.

Port-Priority Use and Port-Priority Use Areas -- The *BCDC/MTC Seaport Plan* designates areas that should be reserved for port priority uses, including marine terminals and directly-related ancillary activities such as container freight stations, transit sheds and other temporary storage, ship repair, and support transportation uses including trucking and railroad yards, freight forwarders, government offices related to the port activity, chandlers and marine services. Uses

that are permitted within port-priority use areas may also include public access and public and commercial recreational development, provided they do not significantly impair the efficient utilization of the port area.

Port Strategic Plan -- In 1990, the Port completed a comprehensive review and analysis of Port policies, business and development options, facility conditions, market opportunities, political and regulatory context, and tenant and customer relations. The product was a strategic plan, the main principals of which are embodied in a mission statement, goals and strategic objectives.

Proposition H -- A ballot measure adopted by San Francisco voters in November 1990 that imposed a moratorium on new "non-maritime" development pending completion of a land use plan for a portion of the waterfront property under the jurisdiction of the Port of San Francisco, and prohibited hotel developments or boatels on that property.

Public Trust -- Under the public trust doctrine, title to tidelands and lands under navigable waters, as existed at the time that California became a state, is held in trust by the State for the benefit of the public and must be used for purposes of commerce, navigation and fishing as well as for environmental and recreational purposes. The Port of San Francisco is the trustee for public trust lands granted to the City by State legislation in 1968.

Seawall Lots (or "SWL") -- Parcels of land owned by the Port that are located inland from the Bay shoreline.

Water-Dependent Activities -- Activities, businesses or industries that depend on a waterfront location to function, such as cargo-related activities, berthing of historic, ceremonial or other ships, ferry and excursion boat operations, fishing industry uses, maritime support uses, recreational boating and water use, ship repair, and water taxi docking.

Water-Oriented Uses -- Under the *McAteer-Petris Act*, BCDC can permit Bay fill only for certain "water-oriented" uses specified in the law or "minor fill for improving shoreline appearance or public access to the Bay." The water-oriented uses the law permits include water-related industry, bridges, wildlife refuges, and water-oriented recreation and public assembly. Housing and offices are not considered water-oriented uses.

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